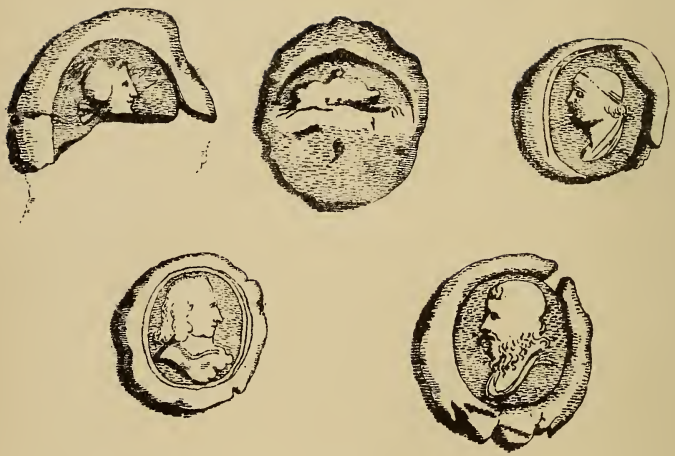
THE LETTERS OF JUNIUS


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1800

THE LETTERS

OF

JUNIUS.



SEALS used by JUNIUS
in his correspondence with
Mr. WOODFALL.

JUNIUS:

INCLUDING

LETTERS

BY THE SAME WRITER, UNDER OTHER SIGNATURES

(NOW FIRST COLLECTED).

TO WHICH ARE ADDED,

HIS CONFIDENTIAL CORRESPONDENCE

WITH

MR WILKES,

AND HIS PRIVATE LETTERS ADDRESSED

TO

MR H. S. WOODFALL.

WITH

A PRELIMINARY ESSAY, NOTES, FAC-SIMILES, &c.

Stat nominis umbra.

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PREFACE.

EVERY reader is acquainted with the fruitless efforts which have been made to solve the mystery of the authorship of the Letters of Junius. These inquiries, which may be said to have begun with the publication of the first letter in 1769, are still being prosecuted in 1874, and will probably continue to amuse the leisure of the literary world for many years to come. To these speculations we have nothing new to contribute. We have no theories, we have no opinions. It seems to us that the fog in which the *Junian* paternity is wrapped is just as thick now as it was when our forefathers were scratching their wigs and whispering their suspicions to one another. Dimly-burning lanterns are waved amid this fog and cast an illumination of some few inches in circumference around their blinded and energetic bearers; but it is not too much to say that in spite of the prodigious efforts that have been made to prove Sir Philip Francis the author of the Letters, scarcely a fact in support of his pretensions has been advanced which might not be matched with one equally convincing in support of the claims of Dyer and Burke, of Boyd and Dunning, of the Duke of Portland and Lord George Sackville, of Earl Temple and Single-speech Hamilton.

Who was *Junius?* All are agreed, whoever he was, that he was intimately acquainted with the inner and secret life of the War-office; that he was intimately acquainted with the inner and secret life of the Foreign-office; that he was about the court;[1] that if he were not a member of the Lower House, he was frequently present at the debates held there; that at one time he hated and at another time admired and defended Lord Chatham; that he had a great personal kindness for Woodfall, his printer; that he was a man of brilliant parts, immense courage, and dogged perseverance; who did an incalculable amount of good and not a little harm; who crushed the Duke of Grafton and insulted the Earl of Mansfield; who was a scarecrow of violence to court-jobbers and back-stairs officials, and who conquered the law with his libels. But the man himself is not less absolutely unknown to us than the Man in the Iron Mask. It is perfectly intelligible that a great literary mystery of this kind should exercise a peculiar fascination upon the mind. The profound learning of Bentley checked a controversy which Boyle's elegance, decorated with Atterbury's tinsel, might have kept alive to the days of Porson. The forgeries of Macpherson advocated by the well-meaning

[1] Walpoliana, vol. i. p. 71. 'Garrick, dining with me, told me that having been at Woodfall's, he learnt that the *Junius* of that day would be the last, upon which, hurrying to St James's, he reported this intelligence to several people. Next day he received a letter from *Junius*, informing him that if he used such freedoms, a letter to him should appear. From this Garrick concluded that the author was about the court.'

but pedantic Blair was a sin that descended through several generations and made a controversialist of Goethe long after the absurd cause had been abandoned on both sides the Tweed. The internal evidence against the antiquity of the Rowley poems fortunately overpowered the clever reasoning of Tyrwhitt; but William Ireland, backed by Parr, Kemble, and Croft, might long have perplexed the predecessors of Mr Payne Collier, had not the youth's conscience hastened to the rescue of a long-suffering public. It is otherwise with *Junius*. He is an incomparable enigma. Men of the greatest genius have fastened upon this abstraction and proved him—a mystery. It is our intention to advert briefly to some of the speculations which have been directed towards the identification of this 'airy nothing' with various public characters.

It was Sir Joshua Reynolds' opinion that Samuel Dyer was the author of the letters, and that he was assisted by Burke and Burke's cousin William. Dyer is represented as a man of great attainments, but so modest and reserved that he would frequently sit silent in company for an hour, and seldom speak unless appealed to; when he generally showed himself master of the subject that was under discussion.[1] Through the influence of his friend Chamier,[2] Dyer procured some post connected with the army; and *Junius* in his second letter exhibits an intimate acquaintance with the then state of the War Department. Dyer was a complete master of French and Italian, and had spent some years abroad: and one of his first literary attempts was a translation of 'Les Mœurs.' In *Junius* there are one or two gallicisms; he was apparently much used to French reading, and when he had occasion to divide his paragraphs numerically, he adopted the French mode, 1°, 2°, &c. It was long supposed that *Junius* died soon after his papers were discontinued. Dyer died shortly after the letters had ceased to appear. William Burke went to his lodgings immediately after his death, and tore many of his friend's papers into minute fragments. Sir Joshua Reynolds saw these broken papers scattered all over the room. This hypothesis, it was held, explained many circumstances that had before puzzled all the conjecturers. It accounted for the prompt and intimate knowledge that *Junius* exhibited in his letters after the event or whatever else he discussed. Dyer lived on such friendly terms with Burke that from him he could learn everything that was going on or that was even meditated. It accounted also for the novelty of the style; and Burke's corrections and interpolations are everywhere discernible in those passages the resemblance of which to his known style caused him to be regarded by many as the writer of the letters.

The notion, indeed, that if Burke were not the author he was very largely concerned in the manufacture of the letters, was long current in Burke's own family. This impression was entirely dispelled by the publication of *Junius*' letters to Mr Granville. If further evidence were needed in refutation of the conjecture, it might be found in the great improbability of a man of Burke's fine character countenancing anything that bore severely upon the Duke of Grafton, who, to quote Sir James Prior, 'while a minister exhibited kindly feeling and recommended him strongly to office under Lord Chatham "as the readiest man upon all points in the House."'[3] But the most convincing of all arguments is Burke's spontaneous denial of the authorship. 'I should have believed Burke,' says Johnson, 'to be *Junius* because I know no man but Burke who is capable of writing these letters; but Burke spontaneously denied it to me. The case would have

[1] Maloniana, 119.
[2] Anthony Chamier. He is frequently mentioned in Boswell.
[3] Life of Edmond Malone, 423. See also the same writer's 'Life of Burke,' vol. i. p. 186.

been different had I asked him if he was the author; a man so questioned as to an anonymous publication, may think he has a right to deny it.'[1] And yet as late as 1775 Johnson still professed his belief in Burke's authorship. 'Johnson said that he looked upon Burke to be the author of *Junius*, and that though he would not take him *contra mundum*, yet he would take him against any man. Baretti was of the same mind.'[2] Grattan was also of this opinion. 'Three persons are considered as having the best claim to the authorship of *Junius*' Letters—Gibbon, Hamilton, and Burke. . . I incline to think that Burke was *Junius*.'

Gibbon is out of the question; but some good arguments have been advanced in support of William Gerard Hamilton. 'I really suspect Single-speech Hamilton to have been the author from the following circumstance,' says Walpole. 'One day at a house where he happened to be, he repeated the contents of that day's *Junius;* while in fact the printer had delayed the publication till next day. Hamilton was also brought forward by Lord Holland; and it is remarkable that Lord Holland, though very open to censure, is not once mentioned.'[3] Wraxall, after fully weighing all circumstances, gives it as his conviction that Hamilton was *Junius*. 'I well remember,' says Mrs Piozzi, 'when they (the letters) were most talked of—and N. Seward said, "How the arrows of *Junius* were sure to wound and likely to stick." "Yes, sir," replied Dr Johnson, "yet let us distinguish between the venom of the shaft and the vigour of the bow," at which expression Mr Hamilton's countenance fell in a manner that to *me* betrayed the author. Johnson repeated the expression in his next pamphlet—and *Junius wrote no more*.'[4] In Malone's opinion, Hamilton was quite capable of having written these letters, but he finds his style very different. 'He would have still more point than they exhibit, and certainly more Johnsonian energy.' Moreover he was all his life distinguished for political timidity and indecision, and dared not, even under a mask, have entered into a decided warfare with persons whom he might find necessary afterwards to him as colleagues. 'This Mr Hamilton is extremely tall and handsome,' writes Miss Burney, 'has an air of haughty and fashionable superiority; is intelligent, dry, sarcastic, and clever. I should have received much pleasure from his conversational powers had I not been previously prejudiced against him by hearing that he is infinitely wilful, double, and crafty.'[5] These very qualities are held as proving decisively that he was not the author of the letters: for, says Malone, 'he could not have divested himself of the apprehension of a discovery, having long accustomed his mind to too refined a policy, and being very apt to suppose that many things are brought about by scheme and machination which are merely the offspring of chance.'[6]

One of the last persons we should expect to find among the number of the suspected, is Glover, the author of 'Leonidas.' What reason is given for believing this poet *Junius* we have not discovered. Anderson in his Life of Glover makes no reference to the accusation. His speeches printed in the 'London Magazine' and 'Annals of Europe' are called by his biographer elegant and spirited: but his prose is not the prose of *Junius*. He was accredited with a great knowledge of public affairs, and his 'in-

[1] Boswell, 625.
[2] Dr T. Campbell's Diary, published in 1854.
[3] Walpoliana, 71.
[4] Mrs Piozzi's Autobiography, by Hayward, vol. i. 343. Johnson attacked *Junius* in his tract on the Falkland Islands, and it is ludicrous to read of him delighting his imagination with the thoughts of having destroyed his opponent.
[5] Diary and Letters, vol. i. 247.
[6] Maloniana, 419.

formation concerning trade and commerce pointed him out to the merchants of London as a proper person to conduct their application to Parliament on the subject of the neglect of their trade. He accepted the office, and in summing up the evidence gave very striking proofs of his oratorical powers.'[1] Glover died in November, 1785, aged 73.

The pretensions of Delolme and the Duke of Portland are ridiculed by Lord Brougham. He points out that the sole ground for presuming the authorship of the Duke lies in the interest betrayed by *Junius* in the question respecting the honour of Inglewood Forest, which, he says, occupied the attention at that time of every man who talked or wrote upon politics. Delolme he characterizes as an extremely feeble writer, and one unconsciously ignorant of most constitutional points.[2] Little is to be said in support of the candidature of Lord Chatham, Dunning, Lord Temple, or Lord Sackville, though an ingenious attempt was made to identify one or the other of these last-mentioned noblemen with *Junius* by M. Charles de Remusat in the 'L'Angleterre au Dixhuitième Siècle.'

We now come to Sir Philip Francis, on whom it is proper that we should bestow the greatest share of our attention. His claims have been advocated by many distinguished men; and by a large and intelligent class his identity with *Junius* is considered proven. For our part, we shall avoid offering any opinion on the subject one way or the other; we propose merely to present, in as clear a light as we can, the reasons advanced by those who believe and by those who deny Sir Philip Francis to be the author of the Letters. For this purpose we shall epitomize the reasoning pursued by Lord Brougham in 1817,[3] which we believe may be held fairly to express the opinions still preserved by the believers in the Franciscan theory.

Lord Brougham first deals with the question of internal evidence, and transcribes a few specimens of Francis's writings, which he considers amply justify the assertion that the author of *Junius*, whoever he might be, was not a person of greater talents than Francis. He then submits certain extracts from a speech delivered in 1797 by Francis, and exclaims: 'We humbly conceive that the most careless reader must be struck, not only with the general ability and eloquence of all these passages, but with their extraordinary coincidence with the Letters of Junius in all their most remarkable characteristics. The boldness and even fierceness of the tone—the studied force and energy of the diction—the pointed and epigrammatic cast of the style—the concise and frequent metaphors—and the mixture of the language of business and affairs, with a certain scholastic elegance and elaborate sarcasm.' He next goes on to consider various particular circumstances of a personal and historical character, which go much further than the general indications of internal evidence to make out the proposition contended for. 1. He finds that the dates of the Junian Letters exactly tally with Francis's residence in this country and his going abroad. 2. Francis was a clerk in the War-office, and *Junius* exhibits an intimate acquaintance with the business and persons of that department. 3. Francis was appointed a clerk in the Foreign-office in 1756. *Junius* shows an uncommon acquaintance with and interest in the transactions of the Foreign Department as well as the War-office; and the period to which his knowledge refers, precedes the death of Lord Egremont in 1763. 4. The manner in which *Junius* always treats

[1] Anderson's British Poets. 'Life of Glover,' p. 469.
[2] Edinburgh Review, vol. xxix. p. 95.
[3] This article was published in Nov. 1817. Francis died Dec. 22, 1818. It was therefore in his power to publish a contradiction.

Lord Chatham coincides exactly with the expressions of Sir Philip in his speeches and writings. 5. The high admiration of Lord Chatham which *Junius* shows is not reconcilable with his kindness towards his antagonist Lord Holland. But the history of Sir Philip explains this. His father was Lord Holland's domestic chaplain. Sir Philip himself received from Lord Holland his first place in the Foreign-office; and sentiments of gratitude would overcome the natural inducement which *Junius* had to join in the attacks upon Lord Holland. 6. From his private correspondence it is plain that *Junius* bore a great personal good-will towards Woodfall. Woodfall was educated at St Paul's School, where Francis is known to have been bred; and Woodfall's son would afterwards speak of the acquaintance formed at that school between his father and Francis as having given rise to a mutual kindness during their after lives. 7. There is reason to believe that *Junius* was known to Garrick; Sir Francis, in the Preface to 'England,' says that he enjoyed the friendship and esteem of Garrick. 8. It is unquestionable that *Junius* used to attend the debates in Parliament, and take notes of the more important speeches; Francis attended the debates during the same period. 9. There are many favourite expressions in their printed works which are common to each; such as 'Of his side'—'So far forth'—'*Pray* never mind'—'*Pray* tell me'—&c. 10. Lord Brougham then tells the following story: Mr Jackson of Ipswich was in Woodfall's employment at the period of the Letters; and he states that he once saw a tall gentleman, dressed in a light coat, with bag and sword, throw into the office door opening in Fry Lane, a letter of *Junius's*, which he picked up and immediately followed the bearer of it into St Paul's Churchyard, where he got into a hackney-coach and drove off. Taylor, in his 'Identity of Junius,' states that the figure and appearance of Sir Philip Francis answer to this description as far as it goes. 11. There are various peculiarities of spelling which occur uniformly in both writers. Lastly, though the letters are known to be written in a feigned hand, the general character agrees well with that of Francis.[1]

Such is Lord Brougham's reasoning, taken in the order in which his arguments are stated. We will now add some further testimonies in support of his opinion. 'My own impression,' says Rogers, the poet, 'is that the Letters of Junius were written by Sir Philip Francis. In a speech which I once heard him deliver at the Mansion House concerning the partition of Poland, I had a striking proof that Francis possessed no ordinary powers of eloquence.'[2] Mr Herman Merivale is equally satisfied: 'I regard,' he says, 'the authorship of *Junius* by Francis, as proved to reasonable satisfaction by the arguments which long ago seemed conclusive to most of our literary men of eminence who have carefully examined the subject.'[3] Lord Macaulay's opinion is well known; he declares that the evidence in favour of Francis 'is such as would support a verdict in a civil, nay, in a criminal proceeding.' Sir James Mackintosh was so perfectly satisfied that Francis was the man that he begins an entry in his journal (1817) thus: 'Dec. 8. Dined with *Junius*. His wife is a woman of informed mind and

[1] In 1871 was published 'The Handwriting of Junius Professionally Investigated,' by Mr Charles Chabot, edited by the Hon. E. Twistleton. A writer in the 'Quarterly Review' declares that this book has settled once for all the long-disputed controversy. Further than this, it is not necessary to refer to this publication: but the reader will presently remark the entirely different views expressed by a writer in the same Review in 1868, upon the identity of Francis with the Letters.

[2] Table-Talk.

[3] Note in Forster's 'Life of Goldsmith.'

agreeable person. The vigorous hatreds which seem to keep Francis alive are very amusing,' &c.[1]

Let us now turn to the other side of the question. It is shown that until forty years had expired since the publication of the last of the Junian letters, the name of Francis was never mentioned in connection with them: which is represented as a fact of considerable importance, since it is to be expected that contemporaries should be acquainted with a variety of circumstances bearing upon the question of identity of which their posterity cannot but be ignorant. It is urged with great emphasis by Sir Fortunatus Dwarris that no one who knew, or heard, or read Francis, thought him capable of producing *Junius*. Tierney, who was acquainted with Francis, declared that 'he knew no better reason for believing the fellow to be *Junius* than that he was always confoundedly proud of something and no one could ever guess what it could be.' It is laid down broadly, as a matter of fact, that in the cases of all the candidates (thirty or forty in number) peculiarities of spelling or expression are almost invariably forthcoming: and that the same thing may be said of the handwriting of *Junius*, which clearly supports Mr Smith's theory that Lord Temple wrote the Letters with his wife for an amanuensis. The War-office paper by which Lord Macaulay triumphantly establishes the connection of *Junius* with the War-office turned out to be a fiction or fancy of Mr Parkes. If Francis were *Junius* he systematically assailed Wood, Welbore Ellis, Lord Egremont, Lord Barrington, and Calcraft, to all whom he was bound by ties of gratitude and by the liveliest sense of favours to come.—*Junius* was an accomplished rhetorician; but the warmest champion of the Franciscan theory, Mr Merivale, admits that Francis's style was hard and meagre, without grace, polish, variety, or flow.—It is next shown that the times at which the letters of *Junius* were received by Woodfall do *not* tally with the dates of Francis's known residence in London.[2] 'The late attempt,' says a writer in 1833,[3] 'to give the honour to Sir Philip Francis has failed like the rest, and from a cause admitting of no answer. Sir Philip had not *talents for the task*. Writing all his life and even emulously adopting the style of *Junius*, he never was able to adopt his spirit. The habiliments were there: the man to wear them was wanting. The epigrammatic turn, the terseness, the virulence, the abruptness, all the errors were there, and all exaggerated: but the redeeming qualities of the great writer—the vividness, the fine originality—the concealed metaphor shining through and giving beauty to the simplest phrase—the intense poignancy striking like a dagger to the heart, were not there, and *Junius* has gone to his immortality unencumbered by the clay of Sir Philip Francis.' Sir N. H. Nicholas, after years of exploration, arrived at the same conclusion.

One thing, however, we cannot fail to observe in the arguments that are put forth respecting the Franciscan theory: we mean the tendency on the one hand to unduly exalt, on the other hand to unduly depreciate, the merits of the man whose identity is supported or denied.

It is not perhaps unreasonable that the advocates of Francis should extol him as a great genius since it is their business to prove him the author of a very wonderful book. But it does not necessarily follow that he should be a mediocrist, an insignificant fellow, as he has been termed, because his opponents are persuaded that he did not write the letters. Some who have gone so far as to admit the most distinctive and telling

[1] Two stanch Franciscans are Lord Campbell and Earl Stanhope.
[2] Quarterly Review, vol. cxxiv., art. 'Lord Macaulay and his School.'
[3] Blackwood's Magazine.

points in the reasoning of Lord Brougham and Mr Taylor, still refuse to believe Francis capable of the letters, and suggest that he was probably the amanuensis of *Junius*. Without committing ourselves to any opinion, we still cannot help thinking that it is not necessary to represent Francis as an incompetent man in order to demolish the theories of the Franciscans. Some allowance no doubt is to be made for the very active prejudices with which the stories that were related of Francis's temper and manners caused his name to be pursued by those who refused to recognize him as *Junius*. Even Macaulay, a zealous advocate of Sir Philip, owned that the man was arrogant and insolent and malevolent: and during his lifetime many anecdotes were current of the ferocity or sullenness of his behaviour. Wraxall declares he never saw him smile, and that he was bursting with bile. But this assertion scarcely qualifies an outburst of profound admiration for the man's genius. 'Nature,' he says, 'had conferred on him talents such as are rarely dispensed to any individual—a vast range of ideas, a retentive memory, a classic mind, considerable command of language, energy of thought and expression.' Judging him by his career, by his speeches, and even by his writings, it seems to us that Sir Philip Francis was a man of first-rate abilities; and whether our estimate of him be just or not, we cannot conceive that it should be in any wise prejudiced by the most narrow inspection of his pretensions to the authorship of the Letters.

However, assuming, as most of our readers probably will, the Junian riddle to be still unsolved, it is impossible to think of the writer of these wonderful Letters without feelings of the deepest astonishment and admiration. In an age when the rancour of political animosity made jealousy and curiosity two very fervent sentiments, this surprising writer, surrounded on all sides by men open-eared to hear of him, open-eyed to stare at him, preserved an impenetrable masquerade. What an unutterable sense of loneliness must sometimes have possessed him! There is an austerity in his triumph that is almost painful to think on. He must have thought in whispers and muffled his very instincts. He had unbounded fame; but he could not enjoy it, being unknown. What transports he knew were surely tiger-like: it was the sudden leap and deadly blow that composed the sum of his literary pleasures. We may figure him wringing in the morning the hand that ere nightfall he had resolved should be laid against a wounded heart. He glided through his brief span of being, a very shadow: wielding material weapons with shadowy hands; making his very wit tragical with the spirit of the mystery that hedged him about. Let Mr Forster speak for us—he is never more eloquent than when he is dealing with *Junius*. 'A friend of Gray relates that he had an appointment to meet the poet (Goldsmith) at his lodgings in Jermyn Street, and found him so deeply plunged in the columns of a newspaper, which with his dinner had been sent him from a neighbouring tavern, that his attention was with difficulty drawn from it. "Take this," said he in a tone of excitement: "here is such writing as I never before saw in a newspaper." It was the first letter with the signature of *Junius*. But it is not what we must now associate with *Junius*: not the reckless calumnies and scandals; not the personal spites and hatreds; not such halting liberalism as his approval of the taxation of America, and his protest against the disfranchisement of Old Sarum, which then so completely seized upon the reason as well as the tempers of men. It was the startling manifestation of power and courage; it was the sense that unscrupulous ministers had now an enemy as unscrupulous; that here was knowledge of even the worst chicaneries of office which not the most sneering official could make light of; that no minister in either House, no courtier at St James's,

no obsequious judge at Westminster, no supercilious secretary in any of the departments, could hereafter feel *himself* safe from treachery and betrayal; and from what hitherto had only been a vulgar, half-articulate cry from the Brentford hustings, or at best a faint whisper imperfectly echoed from St Stephen's, was now made the property and enjoyment of every section of the people—of the educated by its exquisite polish, of the vulgar by its relish of malice, of the great middle-class by its animated plainness, vigorous shrewdness, and dogged perseverance.'

This great man's remarkable words are :—

'I am the sole depositary of my secret, and it shall die with me.' Is that secret known?

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PRELIMINARY ESSAY.

It was not from personal vanity, but a fair estimate of his own merit, and the importance of the subject on which he wrote, that the author of the ensuing letters predicted their immortality. Their matter and their manner, the times they describe, and the talents they disclose, the popularity which attended them at their outset, the impression they produced on the public mind, and the triumph of most of the doctrines they inculcate, all equally concur in stamping for them a passport to the most distant posterity.

In their range these letters comprise a period of about five years; from the middle of 1767 to the middle of 1772: and never has the history of this country, from its origin to the present hour, exhibited a period of equal extent that more peremptorily demanded the severe, decisive, and overpowering pen of such a writer as Junius. The storms and tempests that, within the last twenty years, have shaken the political world to its centre, have been wider and more tremendous in their operation; but they have, for the most part, discharged their fury at a distance. The constitutions of other countries have been swept away by the whirlwind; but that of England still towers, like the pyramids of Egypt, a wonderful and immortal fabric, overshadowing the desert that surrounds it, and defying the violence of its hurricanes. In the period before us, however, this stupendous and beautiful fabric itself was attacked, and trembled to its foundation: a series of unsuccessful ministries, too often profligate and corrupt, and not unfrequently cunning, rather than capable; a succession of weak and obsequious parliaments, and an arbitrary, though able chief justice, addicted to the impolitic measures of the cabinet, fatally concurred to confound the relative powers of the state, and equally to unhinge the happiness of the crown and of the people; to frustrate all the proud and boasted triumphs of a glorious war, concluded but a few years before by an inglorious peace;[1] to excite universal contempt abroad, and universal discord at home. Hence France, humiliated as she was by her losses and defeat, did not hesitate to invade Corsica in open defiance of the remonstrances of the British minister, and succeeded in obtaining possession of it; whilst Spain dishonourably refused to make good the ransom she had agreed to, for the restoration of the capital of the Philippine Isles, which had been exempted from pillage upon this express stipulation. They saw the weakness and distraction of the English cabinet, and had no reason to dread the chastisement of a new war.

The discontents in the American colonies, which a little address might at first have stifled for ever, were blown into a flame of open rebellion, through the impolitic violence of the very minister who was appointed, by the creation of a new office at this very time and for this express purpose,

[1] In 1763, through the negotiation of the duke of Bedford.

to examine into the causes of dissatisfaction, and to redress the grievances complained of: while, at home, the whole of the ways and means of the ministry, instead of being directed against the insolence of the common enemy, were exhausted against an individual, who, perhaps, would never have been so greatly distinguished, had not the ill-judged and contumacious opposition of the cabinet, and their flagrant violation of the most sacred and important principles of the constitution in order to punish him, raised him to a height of popularity seldom attained even by the most successful candidates for public applause; and embroiled themselves on his account in a dispute with the nation at large, almost amounting to a civil war, and which, at length, only terminated in their own utter confusion and defeat.[1]

It was at this period, and under these circumstances, that the ensuing letters successively made their appearance in the Public Advertiser, the most current newspaper of the day.[2] The classical chastity of their language, the exquisite force and perspicuity of their argument, the keen severity of their reproach, the extensive information they evince, their fearless and decisive tone, and, above all, their stern and steady attachment to the purest principles of the constitution, acquired for them, with an almost electric speed, a popularity which no series of letters have since possessed, nor, perhaps, ever will; and what is of far greater consequence, diffused among the body of the people a clearer knowledge of their constitutional rights than they had ever before attained, and animated them with a more determined spirit to maintain them inviolate.[3] Enveloped

[1] In the language of lord Chatham, delivered May 1, 1771, in the House of Lords, "they rendered the very name of parliament ridiculous, by carrying on a constant war against Mr Wilkes."

[2] They were generally copied from the Public Advertiser into all the daily and evening papers.

[3] That the same general impression was produced by the appearance of these letters *in* parliament, which is so well known to have been produced *out* of it, is evident from almost all the speeches of the day, if the editor had time to refer to them. But the following extracts from two speeches, one of Mr Burke and one of lord North will, he presumes, be sufficient for the purpose.

The ensuing is part of a speech delivered by Mr Burke.

"Where then shall we look for the origin of this relaxation of the laws and all government? How comes this JUNIUS to have broke through the cobwebs of the law, and to range uncontrouled, unpunished, through the land? The myrmidons of the court have been long, and are still, pursuing him in vain. They will not spend their time upon me, or you, or you. No: they disdain such vermin, when the mighty boar of the forest, that has broke through all their toils, is before them. But what will all their efforts avail? No sooner has he wounded one than he lays down another dead at his feet. For my part, when I saw his attack upon the King, 'I own my blood ran cold. I thought he had ventured too far, and there was an end of his triumphs, not that he had not asserted many truths. Yes, Sir, there are in that composition many bold truths, by which a wise prince might profit. It was the rancour and venom with which I was struck. In these respects the North Briton is as much inferior to him, as in strength, wit, and judgment. But while I expected in this daring flight his final ruin and fall, behold him rising still higher, and coming down souse upon both Houses of Parliament. Yes, he did make you his quarry, and you still bleed from the wounds of his talons. You crouched, and still crouch, beneath his rage. Nor has he dreaded the terrors of your brow, Sir; he has attacked even you—he has—and I believe you have no reason to triumph in the encounter. In short, after carrying away our Royal Eagle in his pounces, and dashing him against a rock, he has laid you prostrate. King, Lords, and Commons are but the sport of his fury. Were he a member of this House, what might not be expected from his knowledge, his firmness, and integrity? He would be easily known by his contempt of all danger, by his penetration, by his vigour. Nothing would escape his vigilance and activity. Bad ministers could conceal nothing from his sagacity; nor could promises nor threats induce him to conceal any thing from the public."

The following is part of a speech delivered by lord North.

"When factious and discontented men have brought things to this pass, why should we be surprised at the difficulty of bringing libellers to justice? Why should we wonder that the great boar of the wood, this mighty JUNIUS, has broke through the toils and foiled the hunters? Though there may be at present no spear that will reach him, yet he may be some time or other caught. At any rate he will be exhausted with fruitless efforts; those tusks which he has been whetting to wound and gnaw the constitution will be worn out. Truth will at last prevail. The public will see and feel that he has either advanced false

in the cloud of a fictitious name, the writer of these philippics, unseen himself, beheld with secret satisfaction the vast influence of his labours, and enjoyed, though, as we shall afterwards observe, not always without apprehension, the universal hunt that was made to detect him in his disguise. He beheld the people extolling him, the court execrating him, and ministers and more than ministers trembling beneath the lash of his invisible hand.

It is by no means, however, the intention of the editor of the present volume to vindicate the whole of the method pursued by JUNIUS towards the accomplishment of the patriotic objects on which his heart appears to have been most ardently engaged. Much of his individual sarcasm might perhaps have been spared with advantage — and especially the whole of his personal assaults upon the character and motives of the king. Aware as the editor is of the arguments in favour of occasionally attacking the character of the chief magistrate, as urged by JUNIUS himself in his Preface, *post*, p. 125, and in p. 296, he still thinks that no possible circumstances could justify so gross a disrespect and indecency ; that no principle of the constitution supports it, and that every advantage it was calculated to produce, might have been obtained in an equal degree, and to an equal extent, by animadverting upon the conduct of the king's ministers, instead of censuring that of the king in person. In the volume before us the editor is ready to acknowledge that these kinds of paragraphs seem at times not altogether free from—what ought never to enter the pages of a writer on national subjects—individual spleen and enmity. But well may we forgive such trivial aberrations of the heart, in the midst of the momentous matter this volume is well known to contain, the important principles it inculcates ; and especially under the recollection that but for the letters of JUNIUS, the Commons of England might still have been without a knowledge of the transactions of the House of Commons, consisting of their parliamentary representatives—have been exposed to the absurd and obnoxious harassment of parliamentary arrests, upon a violation of privileges undefined and incapable of being appealed against—defrauded of their estates upon an arbitrary and interested claim of the crown —and deprived of the constitutional right of a jury to consider the question of law as well as of fact. To the steady patriotism of the late Mr Fox is the nation solely indebted for a direct legislative decision upon this last important point ;—but the ground was previously cleared by the letters before us ; it is not often that a judge has dared openly to controvert this right since the manly and unanswerable argument of JUNIUS upon this subject, in opposition to the arbitrary and illegal doctrine of lord Mansfield, as urged in the case of the King against Woodfall : [1]—an argument which seems to have silenced every objection, to have convinced every party, and without which perhaps even the zeal and talents of Mr Fox himself might have been exercised in vain.

But, after all, who or what was JUNIUS ? this *shadow of a name*, who thus shot his unerring arrows from an impenetrable concealment, and punished without being per-

facts, or reasoned falsely from true principles ; and that he has owed his escape to the spirit of the times, not to the justice of his cause. The North Briton, the most flagitious libel of its day, would have been equally secure, had it been as powerfully supported. But the press had not then overflowed the land with its black gall, and poisoned the minds of the people. Political writers had some shame left ; they had some reverence for the crown, some respect for the name of Majesty. Nor were there any members of parliament hardy enough to harangue in defence of libels. Lawyers could hardly be brought to plead for them. But the scene is now entirely changed. Without-doors, within-doors, the same abusive strains prevail. Libels find patrons in both Houses of Parliament as well as in Westminster Hall. Nay, they pronounce libels on the very judges. They pervert the privilege of this House to the purposes of faction. They catch and swallow the breath of the inconstant multitude, because, I suppose, they take their voice, which is now that of libels, to be the voice of God."

[1] See this case more particularly detailed in note to Preface, *post*, p. 117, and in note to p. 213.

ceived? The question is natural; and it has been repeated almost without intermission, from the appearance of his first letter. It is not unnatural, moreover, from the pertinacity with which he has at all times eluded discovery, that the vanity of many political writers of inferior talents should have induced them to lay an indirect claim to his Letters, and especially after the danger of responsibility had considerably ceased. Yet while the editor of the present impression does not undertake, and, in fact, has it not in his power, to communicate the real name of JUNIUS, he pledges himself to prove, from incontrovertible evidence, afforded by the private letters of JUNIUS himself during the period in question, in connection with other documents, that not one of these pretenders has ever had the smallest right to the distinction which some of them have ardently coveted.

These private and confidential letters, addressed to the late Mr Woodfall, are now for the first time made public by his son, who is in possession of the author's autographs;[1] and from the various facts and anecdotes they disclose, not only in relation to this extraordinary character, but to other characters as well, they cannot fail of being highly interesting to the political world. To have published these letters at an earlier period would have been a gross breach of trust and decorum: the term of trust, however, seems at length to have expired; most of the parties have paid the debt of nature, and should any be yet living, the length of time which has since elapsed has so completely blunted the asperity of the strictures they contain, that they could scarcely object to so remote a publication of them. JUNIUS, in the career of his activity, was the man of the people; and when the former can receive no injury from the disclosure, the latter have certainly a claim to every information that can be communicated concerning him.

It was on the 28th of April, in the year 1767, that the late Mr H. S. Woodfall received, amidst other letters from a great number of correspondents for the use of the Public Advertiser, of which he was a proprietor, the first public address of this celebrated writer. He had not then assumed the name, or rather written under the signature, of Junius; nor did he always indeed assume a signature of any kind.

[1] There must have been some misunderstanding either of the *extent* of the question or the *nature* of the answer in that part of a conversation which Mr Campbell, in his Life of Hugh Boyd, states to have occurred between Mr H. S. Woodfall (editor and one of the proprietors of the Public Advertiser), and himself, in relation to the preservation of these autographs. "I proceeded," says Mr Campbell, "to ask him if he had preserved any of the manuscripts of JUNIUS? He said *he had not*." p. 164. The veracity of Mr H. S. Woodfall is well known to have been unimpeachable; and it is by no means the intention of the editor to suspect that of Mr Campbell. It is probable that Mr Woodfall understood the question to be whether he had *regularly* preserved the manuscripts of JUNIUS, or had preserved any of the manuscripts of JUNIUS which had publicly appeared *under that signature?* No man, not even Mr Campbell himself, could have suspected Mr Woodfall to have been guilty of a wilful falsehood: nor can any advantage be assigned, or even conceived, that could possibly have resulted from such a falsehood, had it taken place.

It is equally extraordinary that Mr Campbell, in this same conversation, should represent Mr Woodfall as saying that "as to the story about Hamilton quoting JUNIUS to the late duke of Richmond, *he knew* it to be a misconception." In regard to the story itself, Woodfall knew it to be founded in fact from Hamilton's own relation—and has repeatedly mentioned it as such; but he may have meant that the story *as told by Mr Campbell* was a misconception.

In effect the late duke of Richmond himself distinctly informed the son of the late Mr Woodfall, that such a communication with Hamilton had taken place, while his Grace was riding with sir James Peachey, afterwards lord Selsey, in the park at Goodwood, though he could not at that distance of time recollect the particular letter to which it referred. The clue to the mystery is that Mr Hamilton was acquainted with the late Mr H. S. Woodfall, and used occasionally to call at his office; whence it is highly probable that Mr Woodfall had shown him or detailed to him a letter from JUNIUS then just received, and intended for publication on a certain day. Hamilton alluded to the general purport of this letter, on the day on which it was to have been published, as though he had just read it; when to the astonishment of his Grace and sir James Peachey, to whom he thus mentioned it, no such letter appeared, though it did appear the next day or the day after.

When he did so, however, his signatures were diversified, and the chief of them were Mnemon, Atticus, Lucius, Junius, and Brutus. Under the first he sarcastically opposed the ministry upon the subject of the Nullum Tempus bill, which involved the celebrated dispute concerning the transfer on the part of the crown of the duke of Portland's estate of the forest of Inglewood, and the manor and castle of Carlisle, to sir James Lowther, son-in-law of lord Bute, upon the plea that these lands, which formerly belonged to the crown, had not been duly specified in king William's grant of them to the Portland family; and that hence, although they had been in the Portland family for nearly seventy years, they of right belonged to the crown still. The letters signed Atticus and Brutus relate chiefly to the growing disputes with the American colonies: and those subscribed Lucius, exclusively to the outrageous dismission of sir Jeffery Amherst from his post of governor of Virginia.

The name of Mnemon was, perhaps, taken up at hazard. That of Atticus was unquestionably assumed from the author's own opinion of the purity of his style, an opinion in which the public universally concurred; and the three remaining signatures of Lucius, Junius, and Brutus were obviously deduced from a veneration for the memory of the celebrated Roman patriot, who united these three names in his own.

Various other names were also occasionally assumed by this fertile political writer, to answer particular purposes, or more completely to conceal himself, and carry forward his extensive design. That of Philo-Junius, he has avowed to the public, in the authorized edition of the Letters of JUNIUS: but besides this, he is yet to be recognized under the mask of Poplicola, Domitian, Vindex, and several others, as the subjoined pages will sufficiently testify.

The most popular of our author's letters anterior to those published with the signature of JUNIUS in 1769, were those subscribed Atticus and Lucius; to the former of which the few letters signed Brutus seem to have been little more than auxiliary, and are consequently not polished with an equal degree of attention. These letters, in point of time, preceded those with the signature of JUNIUS by a few weeks: they are certainly written with admirable spirit and perspicuity, and are entitled to all the popularity they acquired:—yet they are not perhaps possest of more merit than our author's letters signed Mnemon. They nevertheless deserve a more minute attention from their superior celebrity. The proofs of their having been composed by the writer denominated JUNIUS are incontestable: the manner, the phraseology, the sarcastic, exprobratory style, independently of any other evidence, sufficiently identify them.[1] These

[1] That those under the signature of Lucius were early and generally traced to the pen of JUNIUS even by writers of the opposite party, may be fairly inferred from the following passage in a letter in the Public Advertiser of the date of April 27th, 1769, signed 'A long forgotten correspondent,' intended as an antidote to the poison that JUNIUS was supposed to be propagating.

'In the warm and energetic, though keen and sarcastic style of JUNIUS, we may, I think, easily descry the LUCIUS, long dreaded by his opponents; and from the warmth of his sentiments, if they do indeed correspond with his expressions, we may expect a future BRUTUS, a patriotic character much to be dreaded by all those who, content with the portion of power now in the hands of government (if government had the spirit to exert it), wish not to see the people, by their factious and unmeaning rage, provoke their long-suffering Sovereign to throw real chains over them, and correct their madness with stripes and hunger, the proper cure for phrenzy, the only specific for such headstrong and vicious insanity.'

The celebrity acquired by these earlier letters of JUNIUS, under the signature of Lucius, induced several other writers of the same period to adopt the same signature; and hence Lucius, and Lucius Verus, are common signatures in the Public Advertiser during the years 1769, 1770. But there is no more reason to suppose that JUNIUS himself ever had recourse to this signature than he had to that of Atticus, or Brutus, after the assumption of this last appellative. He would not degrade the name of Lucius by an unfinished production, and to all that he regarded as *finished* he continued to subscribe JUNIUS as a still more popular signature.

An attempt, also, for the same reason, was once made by another correspondent, to publish

therefore, together with such others as are equally and indisputably genuine, are now added to the acknowledged letters of JUNIUS, to render his productions complete.[1]

It is no objection to their genuineness that they were omitted by JUNIUS in his own edition published by Mr Woodfall:—there is a material difference between printing a complete edition of the letters of JUNIUS, and a complete edition of the letters that appeared under this name. The first was the main object of JUNIUS himself, and it was not necessary, therefore, that he should have extended it to letters composed by him under any other signature, excepting indeed those of Philo-Junius, which it was expedient for him to avow; the second is the direct design of the edition before us;—and it would be inconsistent with it to suppress any of his letters, under what signature soever they may have appeared, that possess sufficient interest to excite the attention of the public.

The first of the letters (signed Atticus) was written in the beginning of August, 1768. It takes a general, and by no means an uncandid, survey of the state of the nation at that period, and particularly in regard to its funded property, the alarming and dangerous depression of which, from the still hostile appearance of France, the prospect of a rupture with the American colonies, the wretchedness of the public finances, and the imbecility of the existing administration, struck the writer so forcibly as to induce him, as he tells us, to transfer his property from the funds to, what he conceived, the more solid security of landed estate. The conclusion of this letter exhibits so much of the essential style and manner of JUNIUS, that it has every claim to be copied in this place as affording an internal proof of identity of pen.

'We are arrived at that point when new taxes either produce nothing, or defeat the old ones, and when new duties only operate as a prohibition: yet these are the times when every ignorant boy thinks himself fit to be a minister. Instead of attendance to objects of national importance, our worthy governors are contented to divide their time between private pleasures and ministerial intrigues. Their activity is just equal to the persecution of a prisoner in the King's

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under the signature of JUNIUS; but the letter was refused to be inserted with that name by the printer, who signified his refusal in one of his notices to his correspondents. Yet it is curious to observe, that one or two spurious letters under the signature of Philo-Junius, found their way, as genuine epistles, into the P. A. (probably from the casual absence of the editor), if we may determine from the following statement written immediately after JUNIUS's public avowal that the letters subscribed Philo-Junius were his own productions.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

A paragraph having appeared in your paper of Saturday last, intimating that 'you have the author's consent to declare that the letters published in that paper under the signature of Philo-Junius are written by JUNIUS,' I take the liberty of acquainting you and the public, that during the course of the years 1768 and 1769 several letters under that signature were written and inserted in the Public Advertiser, not by JUNIUS, but by

Your humble servant,

Oct. 21, 1771. G. F.

'[The printer presumes not to doubt the assertion of his correspondent, though it is not possible for him to charge his memory with the circumstances at this distance of time.]' The printer might, however, with great safety have denied this assertion of G. F., which on the face of it bears evident marks of inaccuracy, as the first letter of JUNIUS published in the genuine edition bears date January 21, 1769, and the only one under that signature printed in 1768 is Miscellaneous Letter, No. LII., which did not receive support from an auxiliary signature of any kind. The fact is that the only Philo-Junius not genuine is one which appeared in the P. A. of November 8, 1771, and was the next day disavowed by the printer. Philo-Junius, No. XXXI. was originally published in the Public Advertiser under the signature of Moderatus.

[1] When the late Mr Woodfall, so early as the summer of 1769, had an intention of re-publishing such of the Letters of JUNIUS as had already appeared in the Public Advertiser, the author, in Private Letter, No. 7, observed to the printer, 'Do with my letters exactly what you please. I should think that to make a better figure than Newberry, some others of my letters may be added, and so throw out an hint, that you have reason to suspect they are by the same author. If you adopt this plan, I shall point out those which I would recommend; for, you know, I do not, nor indeed have I time to give equal care to them all.'

Bench, and to the honourable struggle of providing for their dependants. If there be a good man in the king's service they dismiss him of course; and when bad news arrives, instead of uniting to consider of a remedy, their time is spent in accusing and reviling one another. Thus the debate concludes in some half misbegotten measure, which is left to execute itself. *Away they go: one retires to his country house; another is engaged at an horse race; a third has an appointment with a prostitute; and as to their country, they leave her, like a cast off mistress, to perish under the diseases they have given her.*'

It was just at this period that the very extraordinary step occurred of the dismissal of sir Jeffery Amherst from his government of Virginia, for the sole purpose, as it should seem, of creating a post for the earl of Hillsborough's intimate friend lord Boutetort, who had completely ruined himself by gambling and extravagance. This post had been expressly given to sir Jeffery for life, as a reward for his past services in America, and it was punctiliously stipulated that a personal residence would be dispensed with. It was an atrocity well worthy of public attack and condemnation; and the keen vigilance of JUNIUS, which seems first to have traced it out, hastened to expose it to the public in all its indecency and outrage, and with the warmth of a personal friendship for the veteran hero. The subject being of a different description from that he had engaged in under the signature of Atticus, he assumed a new name, and for the first time sallied forth under that of Lucius, subscribed to a letter addressed to the earl of Hillsborough, minister for the American department, and published in the Public Advertiser, Aug. 10th, 1768. A vindication, or rather an apology, was entered into, by three or four correspondents under different signatures, but almost every one of whom was regarded by JUNIUS, and indeed by the public at large, as the earl of Hillsborough himself, or some individual writer under his immediate controul; thus assuming a mere diversity of mask the better to accomplish the purpose of a defence. Lucius Junius followed up the contest without sparing,—the minister became ashamed of his conduct, and sir Jeffery, within a few weeks after his dismissal and the resignation of two regiments which he had commanded, was restored to the command of one of them, and appointed to that of another; and in May, 1776, was created a peer of the realm, which the duke of Grafton had refused him, under the strange and impolitic assertion that he had not fortune enough to maintain such a dignity with the splendour it required. The sarcastic remark of Lucius upon this observation of his Grace, is entitled to attention, as identifying him with JUNIUS in his peculiar severity of reproach.

'The duke of Grafton's idea of the proper object of a British peerage differs very materially from mine. His Grace, in the true spirit of business, looks for nothing but an opulent fortune; meaning, I presume, the fortune which can purchase, as well as maintain a title. We understand his Grace, and know who dictated that article. He has declared the terms on which Jews, gamesters, pedlers, and contractors (if they have sense enough to take the hint), may rise without difficulty into British peers. There was a time indeed, though not within his Grace's memory, when titles were the reward of public virtue, and when the crown did not think its revenue ill employed in contributing to support the honours it had bestowed. It is true his Grace's family derive *their* wealth and greatness from a different origin, from a system which he, it seems, is determined to revive. His confession is frank, and well becomes the candour of a young man, at least. I dare say, that if either his Grace or your Lordship had had the command of a seven years' war in America, you would have taken care that poverty, however honourable, should not have been an objection to your advancement;—you would not have stood in the predicament of sir Jeffery Amherst, who is refused a title of honour, because he did not create a fortune equal to it, at the expense of the public.'

He is not less severe upon lord Hillsborough in a succeeding letter ; and the editor extracts the following passage for the same purpose he has introduced the preceding.

'That you are a civil, polite person is true. Few men understand the little morals better or observe the great ones less than your Lordship. You can bow and smile in an honest man's face, while you pick his pocket. These are the virtues of a court, in which your education has not been neglected. In any other school you might have learned that simplicity and integrity are worth them all. Sir Jeffery Amherst was fighting the battles of his country, while you, my lord, the darling child of prudence and urbanity, were practising the generous arts of a courtier, and securing an honourable interest in the antechamber of a favourite.'

Having thus signally triumphed in the affair of sir Jeffery Amherst, our invisible state-satyrist now returned to the subject he had commenced under the signature of Atticus, and pursued it in three additional letters with the same signature, from the beginning of October till the close of November, in the same year ; offering a few general remarks upon collateral topics, in two or three letters signed Brutus. The characteristics of JUNIUS are often as conspicuous here as in any letters he ever wrote : it will be sufficient to confine ourselves to two passages, since two competent witnesses are as good as a thousand. The following is his description of the prime minister of the day.

'When the duke of Grafton first entered into office, it was the fashion of the times to suppose that young men might have wisdom without experience. They thought so themselves, and the most important affairs of this country were committed to the first trial of their abilities. His Grace had honourably fleshed his maiden sword in the field of opposition, and had gone through all the discipline of the minority with credit. He dined at Wildman's, railed at favourites, looked up to lord Chatham with astonishment, and was the declared advocate of Mr Wilkes. It afterwards pleased his Grace to enter into administration with his friend lord Rockingham, and in a very little time it pleased his Grace to abandon him. He then accepted of the treasury upon terms which lord Temple had disdained. For a short time his submission to lord Chatham was unlimited. He could not answer a private letter without lord Chatham's permission. I presume he was then learning his trade, for he soon set up for himself. Until he declared himself the minister, his character had been but little understood. From that moment a system of conduct, directed by passion and caprice, not only reminds us that he is a young man, but a young man without solidity of judgment. One day he desponds and threatens to resign, the next he finds his blood heated, and swears to his friends he is determined to go on. In his public measures we have seen no proof either of ability or consistency. The Stamp Act had been repealed (no matter how unwisely) under the preceding administration. The colonies had reason to triumph, and were returning to their good humour. The point was decided, when this young man thought proper to revive it without either plan or necessity ; he adopts the spirit of Mr Grenville's measures, and renews the question of taxation in a form more odious and less effectual than that of the law which had been repealed.'

The following is his character of the members of the cabinet generally. 'The school they were bred in taught them how to abandon their friends, without deserting their principles. There is a littleness even in their ambition ; for money is their first object. Their professed opinions upon some great points are so different from those of the party with which they are now united, that the council-chamber is become a scene of open hostilities. While the fate of Great Britain is at stake, these worthy counsellors dispute without decency, advise without sincerity, resolve without decision, and leave the measure to be executed by the man who voted against it. This, I conceive, is the last disorder of the state. The

consultation meets but to disagree, opposite medicines are prescribed, and the last fixed on is changed by the hand that gives it.'

The attention paid to these philippics, and the celebrity they had so considerably acquired, stimulated the author to new and additional exertions: and having in the beginning of the ensuing year completed another with more than usual elaboration and polish, which he seems to have intended as a kind of introductory address to the nation at large, he sent it forth under the name of JUNIUS (a name he had hitherto assumed but once), to the office of the Public Advertiser, in which journal it appeared on Saturday, January 21, 1769. The popularity expected by the author from this performance was more than accomplished; and what in some measure added to his fame, was a reply (for the Public Advertiser was equally open to all parties) from a real character of no small celebrity both as a scholar and as a man of rank, sir Wm Draper; principally because the attack upon his Majesty's ministers had extended itself to lord Granby, at that time commander in chief, for whom sir William professed the most cordial esteem and friendship.

Sir Wm Draper appears to have been a worthy, and, on the whole, an independent man; and lord Granby was perhaps the most honest and immaculate of his Majesty's ministers. JUNIUS did not begin the dispute with the former, and seems, from a regard for his character, to have continued it unwillingly: 'My answer,' says he to him in his last letter,[1] upon a second assault, and altogether without reason, 'shall be short; for I write to you *with reluctance*, and I hope we shall now conclude our correspondence for ever!' At the latter he had only glanced incidentally (for upon the whole he approved his conduct),[2] and seems rather to have done so on account of the company he consorted with, than from any gross misdeeds of his own. Nothing could therefore have been more improvident or impolitic than this attack of sir Wm Draper: if volunteered in favour of the ministry, it is impossible for a defence to have been worse planned;—for by confining the vindication to the individual that was least accused, it tacitly admits that the charges advanced against all the rest were well founded; while, if volunteered in favour of lord Granby alone, it might easily have been anticipated by the writer that his visionary opponent would be hereby challenged to bring forward peccadillos which would otherwise never be heard of, and that he would not fail, at the same time, to scrutinize the character of sir William himself, and to ascribe this act of precipitate zeal to an interested desire of additional promotion in the army. It was too much for sir William to expect that JUNIUS would be hurried into an intemperate disclosure of his real name by a swaggering offer to measure swords with him; while the following rebuke was but a just retaliation for his challenge.

'Had you been originally and without provocation attacked by an anonymous writer, you would have some right to demand his name. But in this cause you are a volunteer. You engaged in it with the unpremeditated gallantry of a soldier. You were content to set your name in opposition to a man who would probably continue in concealment. You understood the terms upon which we were to correspond, and gave at least a tacit assent to them. After voluntarily attacking me under the character of JUNIUS, what possible right have you to know me under any other? Will you forgive me if I insinuate to you, that you foresaw some honour in the apparent spirit of coming forward in person, and that you were not quite indifferent to the display of your literary qualifications?'

In reality JUNIUS, though a severe satyrist, was not in his general temper a malevolent writer, nor an ungenerous man. No one has ever been more ready to admit the

[1] Letter XXV.

[2] See his opinion of lord Granby given under the name of Lucius, in the Miscellaneous Letters, Letter XXXV.; as also in the note at the close of Letter VII..

brilliant talents of sir William Blackstone than himself, or to apply to his Commentaries for legal information, while reprobating his conduct in the unconstitutional expulsion of Mr Wilkes from the House of Commons. 'If I were personally your enemy,' says he in his letter to him upon this subject, 'I should dwell with a malignant pleasure upon *those great and useful qualifications which you certainly possess*, and by which you once acquired, though they could not preserve to you, the respect and esteem of your country; I should enumerate the honours you have lost, and the virtues you have disgraced: but having no private resentments to gratify, I think it sufficient to have given my opinion of your public conduct, leaving the punishment it deserves to your closet and to yourself.'

The rescue of general Gansel, by means of a party of guards, from the hands of the sheriff's officers, after they had arrested him for debt, was an outrage upon the law which well demanded castigation; and the attempt to quash this transaction on the part of the minister, instead of delivering the culprits over to the punishment they had merited, was an outrage of at least equal atrocity, and demanded equal reprobation. The severity with which the minister was repeatedly attacked by JUNIUS on this subject is still well known to many: but the reason is not yet known to any one, perhaps, why the latter suddenly dropped this subject, after having positively declared in his letter of November 15, 1769, p. 209, 'if the gentlemen, whose conduct is in question, are not brought to a trial, the duke of Grafton shall hear from me again.' From his Private Letters to Mr Woodfall, we shall now learn that he was solely actuated in his forbearance by motives of humanity: 'The only thing,' says he in a note alluding to this transaction, 'that hinders my pushing the subject of my last letter, is really the fear of ruining that poor devil Gansel, and those other blockheads.'[1]

In like manner having been betrayed by the first rumours of the day into what he afterwards found to have been too atrocious an opinion, and expressed himself with too indignant a warmth upon the conduct of Mr Vaughan in his well-known attempt to purchase of the duke of Grafton the reversion of a patent place in Jamaica, he hastened to make him both publicly and privately all the reparation in his power. 'I think myself obliged,' says he in a letter to the duke of Grafton, 'to do this justice to an injured man, because I was deceived by the appearances thrown out by your Grace, and have frequently spoken of his conduct with indignation. If he really be, what I think him, honest, though mistaken, he will be happy in recovering his reputation, though at the expense of his understanding.'[2] Vaughan himself had so high an opinion of our author's integrity, though a total stranger to him, that he entrusted him with his private papers upon the subject in question, which JUNIUS in return took care to employ to Vaughan's advantage.[3]

From the extraordinary effect produced by his first letter under the signature of JUNIUS, he resolved to adhere to this signature exclusively in all his subsequent letters, in which he took more than ordinary pains, and which alone he was desirous of having attributed to himself; while to other letters composed with less care, and merely explanatory of passages in his more finished addresses, or introduced for some other collateral purpose, he subscribed some random name which occurred to him at the moment. The letters of Philo Junius are alone an exception to this remark. These he always intended to acknowledge; and in truth they are for the most part composed with so much of the peculiar style and finished accuracy of the letters of JUNIUS, properly so called, that it would have required but little discernment to have regarded the two

[1] See Private Letter, No. 11. [2] Page 225.
[3] Compare his private letter to Woodfall, Dec. 12, 1769, No. 15, with his public letter to the duke of Grafton, February 14, 1770, after he had examined these papers, and especially the passage, 'You laboured then, by every species of false suggestion, and even by publishing counterfeit letters, &c.' Page 225.

correspondents as the same person under different characters,—*idem et alter*—if JUNIUS himself had not at length admitted them to be his own productions, which he expressly did, in an authorized note from the printer, inserted in the Public Advertiser, Oct. 19, 1771. 'The auxiliary part of Philo Junius,' says he in his Preface, p. 115, 'was indispensably necessary to defend or explain particular passages in JUNIUS, in answer to plausible objections; but the subordinate character is never guilty of the indecorum of praising his principal. The fraud was innocent, and I always intended to explain it.' Yet whatever were the signatures he assumed, or the loose paragraphs he occasionally addressed to the public, without a signature of any kind, we have his own assertion, that from the time of his corresponding, as JUNIUS, with the editor of the Public Advertiser, he never wrote in any other newspaper. 'I believe,' says he, 'I need not assure you that I have never written in any other paper since I began with yours;' Private Letter, No. 7. So also in another Private Letter, No. 13: 'I sometimes change my signature, but could have no reason to *change the paper*, especially for one that does not circulate half so much as yours.'

That he was not only a man of highly cultivated general talents and education, but who had critically and successfully studied the language, the law, the constitution, and history of his native country is indubitable. Yet this is not all; the proofs are just as clear that he was also a man of independent fortune, that he moved in the immediate circle of the court, and was intimately acquainted, from its first conception, with almost every public measure, every ministerial intrigue, and every domestic incident.

That he was a man of easy, if not of affluent circumstances, is unquestionable from the fact that he never could be induced in any way or shape to receive any acknowledgment from the proprietor of the Public Advertiser, for the great benefit and popularity he conferred on this paper by his writings, and to which he was fairly entitled. When the first genuine edition of his letters was on the point of publication, Mr Woodfall again urged him either to accept half its profits, or to point out some public charity or other institution to which an equal sum might be presented. His reply to this request is contained in a paragraph of one of his Private Letters, No. 59, and confers credit on both the parties. 'What you say about the profits is very handsome. I like to deal with such men. As for myself, be assured that *I am far above all pecuniary views*, and no other person I think has any claim to share with you. Make the most of it, therefore, and let all your views in life be directed to a solid, however moderate, independence: without it no man can be happy, nor even honest.' In this last sentence he reasoned from the sphere of life in which he was accustomed to move; and, confining it to this sphere, the transactions of every day show us that he reasoned correctly. It is an additional proof, as well of his affluence as of his generosity, that not long after the commencement of his correspondence with the printer of the Public Advertiser, he wrote to him as follows: 'For the matter of assistance, be assured that, if a question should arise upon any writings of mine, you shall not want it;—in point of money, be assured you shall never suffer.'[1] In perfect and honourable consonance with which, when the printer was at length involved in a prosecution in consequence of JUNIUS'S letter to the King, he wrote to him as follows: 'If your affair should come to a trial, and you should be found guilty, you will then let me know what expense falls particularly on yourself: for I understand you are engaged with other proprietors. Some way or other *you* shall be reimbursed.'[2]

'As you have told us,' says sir W. Draper, in his last letter to JUNIUS, 'of your importance; and that you are a person of *rank* and *fortune*, and above a *common* bribe, you may, in all probability, be not unknown to his Lordship (earl of Shelburne)

[1] Private Letter, No. 6, dated Aug. 6, 1769.
[2] Private Letter, No. 19.

who can satisfy you of the truth of what I say.'[1] Sir William alludes, in this passage, to a short public note of JUNIUS to the printer of the Public Advertiser, addressed in consequence of some verses which had just appeared in that paper, entitled 'The tears of Sedition on the death of JUNIUS;' in which he observes: 'It is true I have refused offers which a more prudent or a more interested man would have accepted. Whether it be simplicity or virtue in me, I can only affirm that *I am in earnest*, because I am convinced, as far as my understanding is capable of judging, that the present ministry are driving this country to destruction; and *you*, I think, Sir, may be satisfied that my rank and fortune place me above a common bribe.'[2] Sir William sneers at the appeal, and treats it as the mere unfounded boast of a man of arrogance and invisibility; but the reader now sees sufficiently that it had a solid foundation to rest upon.

That JUNIUS moved in the immediate circle of the court, and was intimately and confidentially connected, either directly or indirectly, with all the public offices of government, is, if possible, still clearer than that he was a man of independent property; for the feature that peculiarly characterized him, at the time of his writing, and that cannot even now be contemplated without surprise, was the facility with which he became acquainted with every ministerial manœuvre, whether public or private, from almost the very instant of its conception. At the first moment the partisans of the prime minister were extolling his official integrity and virtue, in not only resisting the terms offered by Mr Vaughan for the purchase of the reversion of a patent place in Jamaica, but in commencing a prosecution against Vaughan for thus attempting to corrupt him, JUNIUS, in his letter of Nov. 29, 1769, p. 209, exposed this affectation of coyness, as he calls it, by proving that the minister was not only privy to, but a party concerned in, the sale of another patent place, though the former had often been disposed of before in a manner somewhat if not altogether similar. The particulars of this transaction are given in his letter to the duke of Grafton, Dec. 12, 1769, p. 210, and in his private note to Mr Woodfall of the same date, No. 15. The rapidity with which the affair of general Gansell reached him has been already noticed. In his letter to the duke of Bedford he narrates facts which could scarcely be known but to persons immediately acquainted with the family. And when the printer was threatened with a prosecution in consequence of this letter, he says to him in a private note, 'it is clearly my opinion that you have nothing to fear from the duke of Bedford. I reserve some things expressly to awe him in case he should think of bringing you before the House of Lords. I am sure I can threaten him *privately* with such a storm, as would make him tremble even in his grave.'[3] He was equally acquainted with the domestic concerns of lord Hertford's family.[4] Of a Mr Swinney, a correspondent of the printer's, he observes in another confidential letter, '*That* Swinney is a wretched but a dangerous fool: he had the impudence to go to lord G. Sackville, whom he had never spoken to, and to ask him whether or no he was the author of JUNIUS—take care of him.'[5] This anecdote is not a little curious: the fact was true, and occurred but a short period before the letter was written: but how JUNIUS, unless he had been lord Sackville himself, should have been so soon acquainted with it, baffles all conjecture.

[1] Page 194.

[2] See Miscellaneous Letters, No. LIV.

[3] Private Letter, No. 10.

[4] The following are two of the paragraphs alluded to in Private Letter, No. 42.

'The earl of Hertford is most honourably employed as terrier to find out the clergyman that married the duke of Cumberland, an errand well fitted to the man. He might, however, be much better employed in marrying his daughters at the public expense. Witness the promise of an Irish peerage to Mr S—t, &c., &c.'

'Nobody is so vociferous as the earl of Hertford on the subject of the late unprecedented marriage!'

[5] Private Letter, No. 5.

In reality several persons to whom this transaction has been related, connecting it with other circumstances of a similar tendency, have ventured, but too precipitately, to attribute the letters of JUNIUS to his Lordship.[1]

His secret intelligence respecting public transactions is as extraordinary. The accuracy with which he first dragged to general notice the dismission of sir Jeffery Amherst from his governorship of Virginia has been already glanced at. 'You may assure the public,' says he, in a Private Letter, Jan. 17, 1771, 'that a squadron of four ships of the line is ordered to be got ready with *all possible expedition* for the East Indies. It is to be commanded by commodore Spry. Without regarding the language of ignorant or interested people, depend upon the assurance *I* give you, that every man in administration looks upon war as inevitable.'[2]

But it would be endless to detail every instance of early and accurate information upon political subjects with which his public and private letters abound. In many cases he was able to indicate even to the printer of the Public Advertiser himself the real names of those who corresponded with him under fictitious signatures. 'Your Veridicus,' says he in one letter, 'is Mr Whitworth.[3] I assure you I have not confided in him.'[4] 'Your Lycurgus,' he observes in another letter,[5] 'is a Mr Kent, a young man of good parts upon town.'

Thus widely informed, and applying the information he was possessed of with an unsparing hand, to purposes of general exposure in every instance of political delinquency, it cannot but be supposed that JUNIUS must have excited a host of enemies in every direction, and that his safety, perhaps his existence, depended alone upon his concealment. Of this he was sufficiently sensible. In his last letter to sir W. Draper, who had endeavoured by every means to stimulate him to a disclosure of himself, he observes, 'As to me, it is by no means necessary that I should be exposed to the resentment of the worst and the most powerful men in this country, though I may be indifferent about yours. Though you would *fight*, there are others who would *assassinate*.'[6] To the same effect is the following passage in a confidential letter to Mr Woodfall. 'I must be more cautious than ever: I am sure I should not survive a discovery three days; or, if I did, they would attaint me by bill.'[7] On many occasions, therefore, notwithstanding all the calmness and intrepidity he affected in his public letters, it is not to be wondered at that he should betray some feelings of apprehension in his confidential intercourse. In one of his Private Letters, indeed, he observes, 'As to me, be assured that it is not in the nature of things that they (the Cavendish family), or you, or anybody else, should ever know me, unless I make myself known: all arts, or enquiries, or rewards, would be equally ineffectual.'[8] But in other letters he seems not a little afraid of detection or surmise. 'Tell me candidly,' he says, at an early period of his correspondence with Mr Woodfall under the signature of JUNIUS, 'whether you know or suspect who I

[1] In the Miscellaneous Letters, No. VII., the reader will meet with the following passage, pretty conclusively showing the little ground there ever has been for any such opinion. 'I believe the best thing I can do will be to consult with my lord G. Sackville. His character is known and respected in Ireland as much as it is here; and I know he loves to be stationed in the *rear* as well as myself.' The letter from which the above is an extract, independently of its containing the style and sentiments of JUNIUS, is thus additionally brought home to him by the printer's customary acknowledgment in the P. A. being followed by the subjoined observation: 'Our friend and correspondent C. will always find the utmost attention paid to his favours.'

[2] Private Letter, No. 28. The knowledge of this preparation was communicated four days before the meeting of parliament: the war however did not take place; but the preparation is now known to have been a fact, the ministry being themselves fearful that the temper of parliament would have forced them into hostilities, from which in truth they very narrowly escaped. See note to the Private Letter of this No.

[3] Richard Whitworth, Esq., M.P. for Stafford.

[4] Private Letter, No. 6. [5] Id., No. 5.

[6] Letter XXV. [7] Private Letter, No. 41.

[8] Private Letter, No. 10.

am.'[1] 'You must not write to me again,' he observes in another letter, 'but be assured I will never desert you.'[2] 'Upon no account, nor for any reason whatsoever, are you to write to me until I give you notice.'[3] 'Change to the Somerset Coffee-house, and let no mortal know the alteration. I am persuaded you are too honest a man to contribute in any way to my destruction. Act honourably by me, and at a proper time you shall know me.'[4]

The Somerset Coffee-house formed only one of a great variety of places, at which answers and other parcels from the printer of the Public Advertiser were ordered to be left. No plan indeed could be better devised for secrecy than that by which this correspondence was maintained. A common name, such as was by no means likely to excite any peculiar attention, was first chosen by JUNIUS, and a common place of deposit indicated:—the parcels from JUNIUS himself were sent direct to the printing-office, and whenever a parcel or letter in return was waiting for him, the Public Advertiser announced it in the notices to its correspondents by such signals as 'N. E. C.'—'a letter,' 'Vindex shall be considered,' 'C. in the usual place,' 'an old correspondent shall be attended to,' the introductory C. being a little varied from that commonly used; or by a line of Latin poetry. 'Don't always use,' says our author, 'the same signal: any absurd Latin verse will answer the purpose.'[5] And when the answer implied a mere negative or affirmative, it was communicated in the newspaper by a simple *yes* or *no*. The names of address more commonly assumed were Mr William Middleton, and Mr John Fretly; and the more common places of address were the bar of the Somerset Coffee-house as stated above, that of the New Exchange, and Munday's in Maiden Lane, the waiters of which were occasionally feed[6] for their punctuality. But even these names and places of abode were varied for others as circumstances might dictate.

By what conveyance JUNIUS obtained his letters and parcels from the places at which they were left for him is not very clearly ascertained. From the passage quoted from his Private Letter, No. 10, as also from the express declaration in the Dedication to his own edition of his letters, that he was at that time 'the sole depositary of his own secret,' it should seem that he had also been uniformly his own messenger: yet in his Private Letter of January 18th, 1772, he observes, 'the gentleman who transacts the conveyancing part of our correspondence tells me there was much difficulty last night.'[7] In truth the difficulty and danger of his constantly performing his own errand must have been extreme; and it is more reasonable therefore to suppose that he employed some person on whom he could place an implicit reliance; while to avoid the apparent contradiction between such a fact and that of his affirming that he was the sole depositary of his own secret, it is only necessary to conceive at the same time that the person thus confidentially employed was not entrusted with

[1] Private Letter, No. 3. [2] Id., No. 18.
[3] Id, No. 47. [4] Id., No. 41.
[5] Private Letter, No. 43.—As instances of these signals of different kinds the reader may accept the following, taken from the Public Advertiser according to their dates.

August 12, 1771. A Correspondent may rest assured that his directions ever have been, and ever will be, strictly attended to.
September 13. C.
17. C.
21. C.
27. C.
October 19. C.
November 5. C.
8. C.
November 12. Vindex shall be considered.
21. Dic quibus in terris, et mihi eris magnus Apollo.
26. Quid rides? de TE fabula narratur.
28. Received.
30. ————dicere verum Quid vetat?
December 5. Jam NOVA progenies cœlo dimittitur alto.
6. Received. Quis te MAGNE CATO tacitum?
17. Infandum, REGINA! jubes renovare dolorem.

[6] Private Letter, No. 39. [7] Ibid. No. 51.

the full scope and object of his agency.[1] He sometimes, as we learn from his own testimony, employed a common chairman as his messenger,[2] and perhaps this, after all, was the method most usually resorted to.

That a variety of schemes were invented and actually in motion to detect him there can be no doubt; but the extreme vigilance he at all times evinced, and the honourable forbearance of Mr Woodfall, enabled him to baffle every effort, and to persevere in his concealment to the last. 'Your letter,' says he in one of his private notes, 'was twice refused last night, and the waiter as often attempted to see the person who sent for it.'[3]

On another occasion his alarm was excited in consequence of various letters addressed to him at the printing-office, with a view, as he suspected, of leading to a disclosure either of his person or abode. 'I return you,' says he in reply, 'the letters you sent me yesterday. A man who can neither write common English, nor spell, is hardly worth attending to. It is probably a trap for me: I should be glad, however, to know what the fool means. If he writes again, open his letter, and if it contain anything worth my knowing, send it: otherwise not. Instead of "C. in the usual place" say only "a letter" when you have occasion to write to me again. I shall understand you.'[4]

Some apprehension he seems to have suffered, as already observed, from the impertinent curiosity of Swinney; but his resentment was chiefly roused by that of David Garrick, who appears from his own account, and from intelligence on which he fully relied, to have been pertinacious in his attempts to discover him. For three weeks or a month, he could scarcely ever write to Mr Woodfall without cautioning him to be specially on his guard against Garrick: and under this impression alone, he once changed his address.[5] He wrote to Garrick a private note of severe castigation through the medium of the printer, which the latter, from an idea that it was unnecessarily acrimonious, resubmitted to his consideration with a view of dissuading him from sending it,[6] upon which our author desired him to tell Garrick personally to desist, or he would be amply revenged upon him. 'As it is important,' says he, 'to deter him from meddling, I desire you will tell him I am aware of his practices, and will certainly be revenged if he does not desist. An appeal to the public from JUNIUS would destroy him.'[7]

It is not impossible to form a plausible guess at the age of JUNIUS, from a passage in one of his Private Letters; an enquiry, which, though otherwise of little or no consequence, is rendered in some measure important, as a test to determine the validity of the claims that have been laid to his writings by different candidates or their friends. The passage referred to occurs in his letter to Woodfall, dated Nov. 27, 1771: 'after *long experience of the world*,' says he, 'I affirm before God, I never knew a rogue who was not unhappy.'[8] Now when this declaration is coupled with the two facts, that he made it under the repeated promise and intention of speedily disclosing himself to his correspondent,[9] and that the correspondent thus schooled, by a moral axiom gleaned from his own '*long* experience of the world,' was at this very time something more than thirty years of age; it seems absurd to suppose that JUNIUS could be much

[1] Mr Jackson, the present respectable proprietor of the Ipswich Journal, who was at this time residing with the late Mr Woodfall, for the purpose of instruction in the London mode of conducting business, observed to the editor in a conversation on this subject, that he once saw a tall gentleman dressed in a light coat with bag and sword, throw into the office door opening in Ivy Lane, a letter from JUNIUS, which he picked up and immediately followed the bearer of it into St Paul's Church-yard, where he got into a hackney coach and drove off. But whether this was 'the gentleman who transacted the conveyancing part' or JUNIUS himself, it is impossible to ascertain.

[2] See Private Letters, Nos. 58, and 65, note.

[3] Id., No. 58

[4] Id., No. 12.

[5] Id., No. 41.

[6] Compare Private Letter, No. 41, with No. 43. The letter to Garrick will be found in the former of these.

[7] Private Letter, No. 43.

[8] Id., No. 44.

[9] Id., No. 41.

less than fifty, or that he affected an age he had not actually attained.

There is another point in the history of his life, during his appearance as a public writer, which for the same reason must not be suffered to pass by without observation, although otherwise it might be scarcely entitled to notice; and that is, that during a great part of this time, from January, 1769, to January, 1772, he uniformly resided in London, or its immediate vicinity, and that he never quitted his stated habitation for a longer period than a few weeks. This, too, we may collect from his private correspondence, compared with his public labours. No man but he, who with a thorough knowledge of our author's style, undertakes to examine all the numbers of the Public Advertiser for the three years in question, can have any idea of the immense fatigue and trouble he submitted to in composing other letters, under other signatures, in order to support the pre-eminent pretensions and character of JUNIUS, attacked as it was by a multiplicity of writers in favour of administration, to whom, as JUNIUS, he did not chuse to make any reply whatever. Surely JUNIUS himself, when he first undertook the office of public political censor, could by no means foresee the labour with which he was about to encumber himself. And instead of wondering that he should have disappeared at the distance of about five years, we ought much rather to be surprised that he should have persevered through half this period with a spirit at once so indefatigable and invincible. JUNIUS had no time for remote excursions, nor often for relaxation, even in the vicinity of the metropolis itself.

Yet from his Private Letters we could almost collect a journal of his absences, if not an itinerary of his little tours: for he does not appear to have left London at any time without some notice to the printer, either of his intention, or of the fact itself upon his return home; independently of which the frequency and regularity of his correspondence seldom allowed of distant travel. 'I have been out of town,' says he, in his letter of Nov. 8, 1769, '*for three weeks;* and though I got your last, could not conveniently answer it.'[1]—On another occasion, 'I have been *some days* in the country, and could not conveniently send for your letter until this night:'[2] and again, 'I must see proof-sheets of the Dedication and Preface; and these, if at all, I must see before the end of next week.'[3] In like manner, 'I want rest most severely, and am going to find it in the country *for a few days.*'[4]

The last political letter that ever issued under the signature of JUNIUS was addressed to lord Camden. It appeared in the Public Advertiser for Jan. 21, 1772, and followed the publication of his long and elaborate address to lord Mansfield upon the illegal bailing of Eyre; and was designed to stimulate the noble earl to a renewal of the contest which he had commenced with the chief justice towards the close of the preceding session of parliament. It possesses the peculiarity of being the only encomiastic letter that ever fell from his pen under the signature of JUNIUS. Yet the panegyric bestowed was not for the mere purpose of instigating lord Camden to the attack in question. There is sufficient evidence in his Private Letters that JUNIUS had a very high, as well as a very just, opinion of the integrity of this nobleman; and an ardent desire that the estimate he had formed of his integrity should be known to the world at large. In the whole course of his political creed there seems to have been but one point upon which they differed, and that was the doctrine assented to by his Lordship, that the crown possesses a power in case of very urgent necessity, of suspending the operation of an act of the legislature. It is a mere speculative doctrine, and JUNIUS only incidentally alluded to it in a letter upon a very different subject.[5] The disagreement upon this point seems eagerly to have been caught at, however, by another correspondent in the Public Advertiser, who chose the signature of Scæ-

[1] Private Letter, No. 11. [2] Id., No. 7.
[3] Id., No. 45. [4] Id., No. 43.
[5] Letter LIX.

vola, apparently for the express purpose of involving the political satirist in a dispute with his lordship. 'Scævola,' observes he in a private letter, 'I see is determined to make me an enemy to lord Camden. If it be not wilful malice, I beg you will signify to him, that when I originally mentioned lord Camden's declaration about the corn bill, it was without any view of discussing that doctrine, and only as an instance of a singular opinion maintained by a man of great learning and *integrity*. Such an instance was necessary to the plan of my letter.'[1] And again, shortly afterwards, finding that the communication had not been received as it ought to have been, 'I should not trouble you or myself about that blockhead Scævola, but that his absurd fiction of *my* being lord Camden's enemy has done harm. Every fool can do mischief, therefore signify to him what I said.'[2] Not satisfied however with this hint to the printer, he chose, at the same time, under the subordinate character of Philo-Junius, to settle the point, and preclude all possibility of altercation by an address to the public, that should dexterously mark out this single difference in a mere speculative opinion; and while it amply defended the view he had taken of the subject, should evince such an evident approbation of his Lordship's general conduct, as could not fail of being gratifying to him. This letter appeared in the Public Advertiser, Oct. 15, 1771.[3]

Lord Camden, however, was not induced by this earnest attempt and last letter of JUNIUS to renew his attack upon lord Mansfield; yet this was not the reason, or at least not the sole or primary reason, for JUNIUS's discontinuing to write. It has already been observed, that so early as July, 1769, he began to entertain thoughts of dropping a character and signature which must have cost him a heavy series of labour, and frequently perhaps exposed him to no small peril. 'I really doubt' says he, 'whether I shall write any more *under this signature*. I am weary of attacking a set of brutes, whose writings are too dull to furnish me even with the materials of contention, and whose measures are too gross and direct to be the subject of argument, or to require illustration.'[4]

In perfect consonance with this declaration, in his reply to the printer, who had offered him half the profits of the letters at that time published under his own correction, or an equal sum for the use of any public institution he should chuse to name, he makes the following remark, of which a part has been already quoted on another occasion: 'As for myself, be assured that I am *far above* all pecuniary views, and no other person, I think, has any claim to share with you. Make the most of it therefore, and let all your views in life be directed to a solid, however moderate, independence: without it no man can be happy, nor even honest. If I saw any prospect of uniting the city once more, I would readily continue to labour in the vineyard. Whenever Mr Wilkes can tell me that such an union is in prospect, he shall hear of me. *Quod si quis existimat me aut voluntate esse mutatâ, aut debilitatâ virtute, aut animo fracto, vehementer errat.*'[5]

Even so long afterwards as January 19, 1773, in the very last letter we have any certain knowledge he ever addressed to Mr Woodfall, he urges precisely the same motives for his continuing to desist. 'I have seen the signals thrown out for your old friend and correspondent. Be assured that I have had good reason for not complying with them. In the present state of things, if I were to write again, I must be as silly as any of the horned cattle that run mad through the city, or as any of your wise aldermen. *I meant the cause and the public:* BOTH ARE GIVEN UP. I feel for the honour of this country, when I see that there are not ten men in it, who will unite and stand together upon any one question. But it is all alike vile and contemptible.

[1] Private Letter, No. 45. [2] Id., No. 46.
[3] Letter LX. [4] Private Letter, No. 5.
[5] Private Letter, No. 59. 'But if any one believes me to be changed in will, weakened in integrity, or broken in courage, he errs grossly.'

You have never flinched that I know of; and I shall always rejoice to hear of your prosperity. If you have any thing to communicate (of moment to yourself), you may use the last address, and give a hint.'[1]

In effect from the dissolution of the consolidated Whig party upon the death of George Grenville, the absurd divisions in the Bill of Rights Society, and the political separations in the city, our author had much reason to despair of the cause in which he had so manfully engaged.

To the moral character of JUNIUS this letter is of more value than all the popular addresses he ever composed in his life. It is impossible to suppose it to flow from the affectation of an honesty which did not exist in his heart. The circumstances under which it was sent altogether prohibit such an idea: unknown as he was, and unknown as he had now determined to continue, to his correspondent, there was no adequate motive for his assuming the semblance of an integrity which he felt not, and which did not fairly belong to him. It was, it must have been, a pure, disinterested testimonial of private esteem and public patriotism, consentaneous with the uniform tenor both of his open and his confidential history, and conscientiously developing the real cause of his secession.

In truth it must have been, as he himself states it, insanity, to have persisted any longer in any thing like a regular attack; 'lord Camden had declined to act upon his suggestion; the great phalanx of the Whig party was broken up by the death of Mr George Grenville; the vanity and extreme jealousy of Oliver and Horne had introduced the most acrimonious divisions into the Society for supporting the Bill of Rights; and the leading *patriots* of the city had so intermixed their own private interests, and their own private squabbles with the public

[1] Private Letter, No. 63. The signals here referred to were thrown out on the very morning of the day on which this letter was written, and consisted of the following Latin quotation, inserted in the Public Advertiser for January 19, 1773, among the other answers to correspondents. *Iterumque, iterumque monebo.* The printer, within a few weeks afterwards, availed himself of the liberty of making a communication to JUNIUS by *the last address*, and in the Public Advertiser of March 8, gave the following hint: 'The letter from AN OLD FRIEND AND CORRESPONDENT, dated January 19, came safe to hand, and his directions are *strictly followed, Quod si quis existimat aut*, &c.' The quotation is peculiarly happy: for it is not only a copy of what JUNIUS had cited himself in his last Private Letter but one, and was hence sure to attract his attention, but is a smart replication to the passage in the letter it immediately refers to, '*You* have never flinched that I know of.' The subject of some part of the communication at this time made by the printer to JUNIUS, the editor has been able to discover, by having accidentally found among Mr Woodfall's papers, and in his own hand-writing, a rough draft of one of the three letters of which it appears to have consisted. This letter the reader will meet with in the private correspondence, arranged according to its date, which is March 7, 1773, the day antecedent to the public notice given in the Public Advertiser as above. Among the answers to correspondents March 20, we find another signal of the very same kind in the following terms, '*Aut voluntate esse mutatâ;*' and in the same place March 29, a third ensign under the following form, '*Aut debilitatâ virtute;*' both of which it will be observed, upon a comparison, are verbal continuations of JUNIUS's own quotation, and hence identify with double force the person to whom they relate. In the Public Advertiser of April 7, we find the following signal of a similar description, and it is the last we have been able to discover, '*Dic quibus in terris.*' It is probable that these all related to matters of a personal concern, upon which, by the above private letter, the printer had still leave to address his correspondent: at least there is no reason for believing that JUNIUS ever broke through the silence upon which he so inflexibly determined on January 19, or consented to reappear before the public in any character whatever. There were some very excellent letters signed Atticus that appeared in the Public Advertiser between the dates of June 26, 1772, and October 14, 1773, and exhibit much of our author's style, spirit, and sentiments; and which, hence, by some tolerable judges, have been actually ascribed to him: but for various reasons, independently of that afforded by the above private letter, the editor is convinced they are not the production of JUNIUS. The talents they afford proof of, though considerable, are inferior; they contain attacks upon some statesmen who were never attacked by JUNIUS; and it is well known from the following notice inserted among the addresses to correspondents in the Public Advertiser for June 19, 1773, as well as from other facts, that there was at this period, and had been for some time past, another writer in this journal who assumed the name of Atticus. 'Some circumstances render it necessary that the printer should communicate a line to ATTICUS, *not his* OLD *Correspondent.*'

cause, as to render this cause itself contemptible in the eye of the people at large. He had already tried, but in vain, to awaken the different contending parties to a sense of better and more honourable motives; to induce them to forego their selfish and individual disputes, and to make a common sacrifice of them upon the altar of the constitution.[1] Yet, at the same time, so small were his expectations of success, so mean his opinion of the pretensions of most of the leading demagogues of the day to a real love of their country, and so grossly had he himself been occasionally misrepresented by them, that in his confidential intercourse he bade his correspondent beware of entrusting himself to them. 'Nothing,' says he, 'can be more express than my declaration against long parliaments: try Mr Wilkes once more (*who was in private possession of his sentiments upon this subject*);[2] speak for me in a most friendly but *firm* tone, that I *will not* submit to be any longer aspersed. Between ourselves, let me recommend it to you to be much upon your guard with *patriots*.'[3]

With his public address to the people, therefore, in Letter LIX., he seems in the first instance to have resolved upon closing his labours, at least under the character of JUNIUS, provided no beneficial effect were likely to result from it, and as the printer had expressed to him an earnest desire of publishing a genuine edition of his letters, in a collective form, in consequence of a variety of incorrect and spurious editions at that time circulating through the nation, he seems to have thought that a consent to such a plan would afford him a good ostensible motive for putting a finish to his public career; and on this account he not only acceded to the proposal, but undertook to superintend it as far as his invisibility might allow him; and also to add a few notes, as well as a dedication and preface.

Nothing can be more absurd than the idea entertained by some writers, that JUNIUS himself was the previous editor of one or two of these irregular editions, and especially of an edition published but a short time anterior to his own, audaciously enough entitled 'The genuine letters of JUNIUS, to which are prefixed, *anecdotes of the author*;'[4] a pamphlet in which the anonymous anecdotist takes it for granted, from his very outset, that JUNIUS and Edmund Burke were the same person, and then proceeds to reason concerning the former, from the known or acknowledged works of the latter.

It was not till the appearance of Newberry's edition, with which it is not pretended that our author had any concern, that even Woodfall himself had conceived an idea of the propriety of collecting these letters, and publishing them in an edition strictly genuine, in consequence of the numerous blunders by which the common editions were deformed; of these Newberry's was, perhaps, the freest from mistakes: yet Newberry's had so many, that our author, upon receiving a copy of it, addressed a note to Woodfall, begging him to hint to Newberry, that as he had thought proper to reprint his letters, he ought at least to have taken care to have corrected the errata: adding at the same time, 'I did not expect more than the life of a newspaper; but if this man will keep me alive, let me live without being offensive.'[5]

His answer upon Woodfall's application to him for leave to reprint his letters collectively, and subject to his own revisal, was as follows: 'I can have no manner of objection to your reprinting my letters, if you think it will answer, which I believe it might before Newberry appeared. If you determine to do it, give me a hint, and I will send you more errata (indeed they are innumerable) and perhaps a preface.'[6] It was on this occasion he added, as conceiv-

[1] See JUNIUS, Letter LIX., and Private Letter, No. 65.
[2] See Private Letter, No. 66.
[3] Private Letter, No. 44.
[4] See Mr Chalmers's Appendix to the Supplemental Apology, &c., p. 24.
[5] Private Letter, No. 4.
[6] Private Letter, No. 5.

ing it might afford him a proper opportunity for a general close of the character, though so early in his correspondence, under the name of JUNIUS, as July, 1769, 'I really doubt whether I shall write any more under this signature ; I am weary of attacking a set of brutes, &c.'[1] In answer to Woodfall's next letter upon the same subject he observes, 'Do with my letters exactly as you please. I should think that, to make a better figure than Newberry, *some others of my letters may be added, and so throw out a hint, that you have reason to suspect they are by the same author. If you adopt this plan, I shall point out those, which I would recommend ; for you know, I do not nor indeed have I time to give equal care to them all.*'[2]

The plan for publication, however, though it commenced thus early, was not matured till October, 1771 : when it was determined that the work should comprise all the letters which had passed under the signatures of JUNIUS and Philo-Junius to this period exclusively, and be occasionally enriched by a selection of other letters under a variety of other signatures, such as will be found in the Miscellaneous Letters of the present edition ; which, independently of that of Philo-Junius, our author, as has been observed already, not unfrequently employed to explain what required explanation, or defend what demanded vindication, and which he himself thought sufficiently correct to associate with his more laboured productions. In the prosecution of this intention, however, he still made the two following alterations. Instead of closing the regular series of letters possessing the signature of JUNIUS with that dated October 5, 1771,[3] upon the subject of 'the unhappy differences,' as he there calls them, 'which *had* arisen among the friends of the people, and divided them from each other'—he added five others which the events of the day had impelled him to write during the reprinting of the letters, notwithstanding the intention he had expressed of offering nothing further under this signature. And instead of introducing the explanatory letters written under other signatures, he confined himself, in order that the work might be published before the ensuing session of parliament, to three justificatory papers alone : the first, under the title of 'A Friend of JUNIUS,' containing an answer to 'A Barrister at Law ;' the second an anonymous declaration upon certain points on which his opinion had been mistaken or misrepresented ; and the third an extract from a letter to Mr Wilkes, drawn up for the purpose of being laid before the Bill of Rights Society, with a view of vindicating himself from the charge of having written in favour of long parliaments and rotten boroughs. This last however was furnished, not by Mr Wilkes, but from his own notes ; 'you shall have the *extract*,' says he, 'to go into the second volume : it will be a short one.'[4]

Of the five letters added after he meant to have closed, and had actually begun to reprint his series, four of them are either expressly addressed to lord Mansfield, or incidentally relate to him, in consequence of his having *illegally* (as it was contended) admitted a felon of the name of John Eyre to bail, who, although possessing a fortune

[1] Private Letter, No. 6. [2] Id., No. 7.
[3] Letter LIX.
[4] Private Letter, No. 45. The reader will readily pardon, and perhaps thank us, for pointing out to his particular attention the following exquisite paragraph with which the above letter closes, but which formed no part of it as originally addressed to Mr Wilkes. It refers to an able argument that an excision of the rotten boroughs from the representative system might perhaps produce more mischief than benefit to the constitution. 'The man, who fairly and completely answers this argument, shall have my thanks and my applause. My heart is already with him.—I am ready to be converted.—I admire his morality, and would gladly subscribe to the articles of his faith.—Grateful, as I am, to the GOOD BEING, whose bounty has imparted to me this reasoning intellect, whatever it is, I hold myself proportionably indebted to him, from whose enlightened understanding another ray of knowledge communicates to mine. But neither should I think the most exalted faculties of the human mind a gift worthy of the Divinity ; nor any assistance, in the improvement of them, a subject of gratitude to my fellow-creature, if I were not satisfied, that really to inform the understanding corrects and enlarges the heart.'

of nearly thirty thousand pounds sterling, had stolen a quantity of paper in quires out of one of the public offices at Guildhall, and was caught in the very theft. The other letter is addressed to the object of his steady and inveterate hatred, the duke of Grafton, upon the defeat of his attempt to transfer the duke of Portland's estate in Cumberland, consisting of what had formerly been crown lands, to sir James Lowther, in order to assist the latter in securing his election for this county.

Such, however, was his anxiety to get this work completed and published before the winter session of parliament, that he was ready to sacrifice the appearance of the whole of these additional letters, even that containing his elaborate accusation of lord Mansfield, and which he acknowledged to have cost him enormous pains, rather than that it should be delayed beyond this period. 'I am truly concerned,' says he in a private letter dated January 20, 1772, 'to see that the publication of the book is so long delayed. It ought to have appeared before the meeting of parliament. By no means would I have you insert this long letter, if it make more than the difference of two days in the publication. Believe me, the delay is a real injury to the cause.'[1]

The difficulties, however, of sending proofs and revises forward and backward were so considerable, that the anxiety of the author was not gratified: parliament met, but the book was not published. JUNIUS became extremely impatient; yet still, in the most earnest terms, pressed its publication before alderman Sawbridge's motion *in favour of triennial parliaments* which was to be brought forward in the beginning of March. 'Surely,' says he, in his private letter of February 17,[2] 'you have misjudged it very much about the book. I could not have conceived it possible that you could protract the publication so long. At this time, particularly before Mr Sawbridge's motion, it would have been of singular use. You have trifled too long with the public expectation: at a certain point of time the appetite palls: I fear you have already lost the season. The book, I am sure, will lose the greatest part of the effect I expected from it.—But I have done.'

He was soon however consoled by intelligence from his friend Woodfall that, unduly as the book had been postponed, it was not for want of any exertions of his own; and that late as the season was, it would still precede the expected motion of alderman Sawbridge.[3] He, in consequence, replied as follows: 'I do you the justice to believe that the delay has been unavoidable. The expedient you propose, of printing the Dedication and Preface in the Public Advertiser is unadviseable. The attention of the public would then be quite lost to the book itself. I think your rivals will be disappointed: nobody will apply to them, when they can be supplied at the fountain-head.—All I can now say, is, make haste with the book.[4]

The Dedication, Preface, and the materials for his notes were all finished about the beginning of the preceding November (1771). The letters at large, excepting the first two sheets which were revised by the author himself, were from the difficulty of conveyance entrusted to the correction of Mr Woodfall, with incidental amendments obtained, as they could be, by an interchange of letters. The Dedication and Preface were confided to the correction of Mr Wilkes,[5] with whose attention the author expresses himself well pleased. 'When you see Mr Wilkes,' says he in a note of February 29, 1772, 'pray return him my thanks for the trouble he has taken. I wish he had taken more:'[6] intimating hereby that there were still errors of which he was aware, and which he would have corrected if possible.

Yet though he thus continued to adhere rigidly to his determination never again to appear before the public in his full dress, or

[1] Private Letter, No. 51. [2] Id. No. 55.
[3] The Letters were actually published March 3, and alderman Sawbridge's motion discussed the ensuing day—which motion, however, was lost by a majority of 251 against 83.
[4] Private Letter, No. 56. [5] Id., No. 40.
[6] Id., No. 57.

under the signature of JUNIUS, as he expresses it in his Private Letter of November 8, 1771, he did not object occasionally to introduce his observations and continue his severe strictures in a looser and less elaborate form, and under some appellative or other, that might not interfere with the claims of JUNIUS as a whole, as in the case of his series of letters to lord Barrington, see No. CV., CVII., &c. These, however, it was not easy, in spite of the characteristic style that still, to an acute eye, pervaded them, for the world at large to bring completely home to the real writer, though many of them were frequently charged to the account of JUNIUS by the political critics of the day, in different addresses to the printer upon this subject.

To judge of the moral and political character of JUNIUS from his writings, as well private as public, he appears to have been a man of a bold and ardent spirit, tenaciously honourable in his personal connexions, but vehement and inveterate in his enmities, and quick and irritable in conceiving them. In his state principles he was strictly constitutional, excepting perhaps upon the single point of denying the impeccability of the crown; in those of religion he, at least, *ostensibly* professed an attachment to the established church.

Of his personal and private honour, we can only judge from his connexion with Mr Woodfall. Yet this connexion is perhaps sufficient; for throughout the whole of it he appears in a light truly ingenuous and liberal. 'If undesignedly,' says he in one of his letters, 'I should send you anything you may think dangerous, judge for yourself, or take any opinion you think proper. You cannot offend or afflict me, but by hazarding your own safety.'[1] To the same effect in another letter, 'For my own part I can very truly assure you that nothing would afflict me more than to have drawn you into a *personal* danger, because it admits of no recompense. A little expense is not to be regarded, and I hope these papers have reimbursed you. I never will send you any thing that *I* think dangerous; but the risk is yours, and you must determine for yourself.'[2]

Upon another occasion, being sensible that he had written with an asperity that might alarm his correspondent, he again begged him not to print if he apprehended any danger; adding that, for himself he should not be offended at his desisting; and merely requesting that if he did not chuse to take the risk he would transmit the paper as sent to him, to a printer who was well known to be less cautious than himself. 'The inclosed,' says he in one of his notes, 'is of such importance, so very material, that it *must* be given to the public immediately. *I will not advise*, though I *think* you perfectly safe. All I say is that I rely upon your care to have it printed either to-morrow in your own paper, or to-night in the Pacquet.'[3]—To the same effect is the following upon another occasion. 'I hope you will approve of announcing the inclosed JUNIUS to-morrow, and publishing it on Monday. If, for any reasons that do not occur to me, you should think it unadviseable to print it, as it stands, I must entreat the favour of you to transmit it to Bingley, and satisfy him that it is a real JUNIUS, worth a North Briton extraordinary. It will be impossible for me to have an opportunity of altering any part of it.'[4]

Upon the printer's being menaced with a prosecution on the part of the duke of Grafton, in consequence of the publication of JUNIUS's letter to him of the date of December 12, 1769, accusing this nobleman of having, in the most corrupt and sinister manner, either sold or connived at the sale of a patent place in the collection of the customs at Exeter, he writes as follows: 'As to yourself, I am convinced the ministry will not venture to attack you; they dare not submit to such an enquiry. If they do, show no fear, but tell them plainly you will justify, and subpœna Mr Hine, Burgoyne,

[1] Private Letter, No. 43.

[2] Private Letter, No. 33.
[3] Id., No. 38. [4] Id., No. 34.

and Bradshaw of the Treasury; that will silence them at once.'[1] The printer, however, was still fearful, and could not avoid expressing himself so to his invisible friend; who thus replied to his proposal of volunteering an apology: 'Judge for yourself. I enter sincerely into the anxiety of your situation; at the same time I am strongly inclined to think that you will not be called upon. They cannot do it without subjecting Hine's affair to an enquiry, which would be worse than death to the minister. As it is, they are more seriously stabbed with this last stroke, than all the rest. At any rate, stand firm: (I mean with all the humble appearances of contrition:) if you trim or faulter, you will lose friends without gaining others.'[2] The friendly advice thus shrewdly given was punctiliously followed; and the predictions of JUNIUS were more than accomplished: for the minister not only did not dare to enforce his menaces, but at the same time thought it expedient to drop abruptly the prosecution of Mr Vaughan, which this attack upon him was expressly designed to fight off, and to drop it, too, after the rule against Vaughan had been made absolute.

Upon the publication of JUNIUS'S letter to the King, Woodfall was not quite so fortunate—but his invisible friend still followed him with assistance; he offered him, as has already been observed, a reimbursement of whatever might be his pecuniary expenses, and aided him in a still higher degree with the soundest prudential and legal advice. Upon a subsequent occasion also, he makes the following observation. 'As to yourself, I really think you in no danger. *You* are not the object, and punishing *you* would be no gratification to the king.'[3]—But upon this subject, the following is one of the most important notes, as, although he expressly denies all *professional* knowledge of the law, it sufficiently proves that he was better acquainted with it than many who are actual practitioners. 'I have carefully perused the *Information:* it is so loose and ill-drawn that I am persuaded Mr De Grey[4] could not have had a hand in it. Their inserting the whole, proves they had no strong passages to fix on. I still think it will not be tried. If it should, it is not possible for a jury to find you guilty.'[5]

In his first opinion he was mistaken; in his second he was correct. The cause was tried at Nisi Prius—but no one has yet forgotten that the verdict returned was 'guilty of printing and publishing *only*;' which in fact implied not *guilty* at all.[6]

It is to this cause, as has been already glanced at, we are chiefly indebted for an acknowledged and unequivocal right in the jury to return a general verdict—that is, a verdict that shall embrace matter of law as well as matter of fact. From the ambiguity of the verdict however, in the case before us, a motion was made by the defendant's counsel in arrest of judgment; at the same time that an opposite motion was advanced by the counsel for the crown, for a rule upon the defendant to show cause why the verdict should not be entered up according to the *legal* import of the words. On both sides a rule to show cause was granted, and the matter being argued before the court of King's Bench, notwithstanding the bench appears to have been strongly and unanimously in favour of the verdict being entered up, the result was the grant of a new trial; which, however, was not proceeded in, for want of proof of the publication of the paper in question.

That JUNIUS was quick and irritable in conceiving disgust, and vehement, and even at times malignant, in his enmities, we may equally ascertain from his private and his public communications. In the violence of his hatreds almost every one whom he attacks is guilty in the extreme; there are no degrees of comparison either in their criminality or his own detestation: the whole is equally superlative. If the duke

[1] Private Letter, No. 15.
[2] Id., No. 17.
[3] Id., No. 43.
[4] At that time Attorney-General.
[5] Private Letter, No. 20.
[6] See Editor's notes, p. 118 and p. 213.

of Grafton be the object of his address, 'every villain in the kingdom,' says he, 'is your friend [1]—the very sunshine you live in is a prelude to your dissolution.' [2] If lord Mansfield fall beneath his lash, do not scruple to affirm, with the most solemn appeal to God for my sincerity, that, in *my* judgment, he is the very worst and most dangerous man in the kingdom.' [3] An opinion corroborated by him in his private correspondence: 'We have got the rascal down,' says he, 'let us strangle him if it be possible.' [4] In like manner addressing himself to lord Barrington, 'You are so detested and despised by all parties (because all parties know you) that England, Scotland, and Ireland have but one wish concerning you;' [5] while his note to the printer accompanying this address, closes thus: 'The proceedings of this wretch are unaccountable. There must be some mystery in it, which I hope will soon be discovered to his confusion. Next to the duke of Grafton, I verily believe that the blackest heart in the kingdom belongs to lord Barrington.' [6] Even Scævola, an anonymous writer, whom he knew not, is 'a blockhead' and 'a fool' [7] for opposing him: Swinney, for his impertinent enquiry of lord G. Sackville, 'a wretched but a dangerous fool;' [8] and Garrick, on the same account, 'a rascal, and a vagabond.' [9]

Yet it is not difficult to account for the more violent of his political abhorrences; and which seem, indeed, to have been almost exclusively directed against the three ministerial characters just enumerated in conjunction with the earl of Bute: for his attacks upon the duke of Bedford and sir William Blackstone are but light and casual when compared with his incessant and unmitigated tirades against these noblemen.

Firmly rooted in the best Whig principles of the day, he had an invincible hatred of lord Bute as the grand prop and foundation-stone of Toryism in its worst and most arbitrary tendencies: as introduced into Carlton-house against the consent of his present Majesty's royal grandfather, through the overweening favouritism of the princess dowager of Wales; as having obtained an entire ascendancy over this princess, and through this princess over the king, whose non-age had been entirely entrusted to him, and through the king over the cabinet and the parliament itself. The introduction of lord Bute into the post of chief preceptor to his Majesty was in our author's opinion an inexpiable evil. '*That*,' says he, 'was the salient point from which all the mischiefs and disgraces of the present reign took life and motion.' Letter XXXV., note. Thus despising the tutor, he could have no great reverence for the pupil: and hence the personal dislike he too frequently betrays, and occasionally in language altogether intemperate and unjustifiable, for the sovereign. Hence, too, his unconquerable prejudice against Scotchmen of every rank.

The same cause excited his antipathy against lord Mansfield, even before his Lordship's arbitrary line of conduct had proved that our author's suspicions concerning him were well-founded. Lord Mansfield was a Scotchman: but this was not the whole. Under the patronage of lord Stormont, he had been educated with the highest veneration for the whole Stuart family, and especially for the Pretender; whose health, when a young man, had been his favourite toast, and to whom his brother was attached as a confidential and private agent. It was for these sentiments, and for the politics which intruded themselves in his judicial proceedings, where the crown was concerned, that our author expressed himself in such bitter terms against the chief justice. 'Our language,' says he, in Letter XLI., 'has no term of reproach, the mind has no idea of detestation, which has not already been happily applied to you, and exhausted.

[1] Letter LXVII. [2] Ibid.
[3] Letter LXIX. [4] Private Letter, No. 24.
[5] Miscellaneous Letters, No. CXI.
[6] Private Letter, No. 61.
[7] Id., Nos. 46 and 47. [8] Id., No. 5.
[9] Id., Nos. 41 and 43.

—Ample justice has been done by abler pens than mine to the separate merits of your life and character. Let it be *my* humble office to collect the scattered sweets, till their united virtue tortures the sense.'

His detestation of the duke of Grafton proceeded from his Grace's having abandoned his patron lord Chatham, and the Whig principles into which he had been initiated under him, to gratify his own ambition on the first offer that occurred: from his having afterwards united sometimes with the Bedford party, sometimes with lord Bute, and sometimes with other connexions of whatever principles or professions, whenever the union appeared favourable to his personal views; and from his having hereby prevented that general coalition of the different divisions of Whig statesmen, which must in all probability have proved permanently triumphant over the power of the king himself. 'My abhorrence of the duke,' says JUNIUS, 'arises from an intimate knowledge of his character, and from a thorough conviction that his baseness has been the cause of greater mischief to England than even the unfortunate ambition of lord Bute.' [1]

It was not necessary for lord Barrington to be a Scotchman in order to excite the antipathy of JUNIUS. He might justly despise and even hate him (if it be allowable to indulge a private hatred against a public character of any kind) for his political versatilities and want of all principle; for atrocities, indeed, which no man can yet have forgotten, and which never can be buried in forgetfulness but with the total oblivion of his name. Barrington, independently of these general considerations, however, was the man who moved for Wilkes's expulsion from parliament, in which he was seconded by Mr Rigby.

These were the prime objects of our author's abhorrence; and in proportion as other politicians were connected with them by principles or want of principles, confederacy, nation, or even family, he abhorred them also.

His reasons for believing that the constitution allows him to regard the reigning prince as occasionally culpable in his own person, are given at large in his Preface. To few people perhaps in the present day will they carry conviction. But, bating this single opinion, his view of the principles and powers of the constitution appears to be equally correct and perspicuous. Upon the question of general warrants; of the right of juries to return general verdicts, or in other words, to determine upon the law as well as upon the fact; of the unlimited power of Lords Chief Justices to admit to bail; of the illegality of suspending acts of parliament by proclamation, we owe him much; he was a warm and rigid supporter of the co-extent, as well as co-existence, of the three estates of the government, and it was from this principle alone that he argued against the system of indefinite privilege as appertaining to either House individually; and as allowing it a power of arbitrary punishment, for what may occasionally be regarded as a contempt of such House, or a breach of such privilege.

Personally and outrageously inimical, however, as he was to the reigning prince, and earnestly devoted as he seems to have been to the cause of the people, neither his enmity nor his patriotism hurried him into any of those political extravagancies which have peculiarly marked the character of the present age: a limited monarchy, like our own, he openly preferred to a republic; he contended for the constitutional right of impressing, in case of emergency, sea-faring men for the common service of the country; strenuously opposed the supporters of the Bill of Rights, in their endeavours to restore annual parliaments, and their fanciful, but, as it appeared to him, unconstitutional plan of purifying the legislature by disfranchising a number of boroughs which they had chosen to regard as totally corrupt and rotten; and anterior to the American contest was as thoroughly convinced

[1] Letter LIV.

as Mr George Grenville himself of the supremacy of the legislature of this country over the American colonies.[1]

Upon the first point he observes: 'I can more readily admire the liberal spirit and integrity than the sound judgment of any man, who prefers a republican form of government, *in this or any other empire of equal extent*, to a monarchy so qualified and limited as ours. I am convinced, that neither is it in theory the wisest system of government, nor practicable in this country.'[2] Upon the second point he appears to have been chiefly influenced by judge Foster's argument on the legality of pressing seamen, and his comment on that argument may be seen in his observations, pp. 307, 318, and 321. Upon the third and fourth points he thus ingenuously expresses himself: 'Whenever the question shall be seriously agitated, I will endeavour (and, if I live, will assuredly attempt it) to convince the English nation, by arguments to *my* understanding unanswerable, that they ought to insist upon a *triennial*, and banish the idea of an *annual* parliament. ———As to cutting away the rotten boroughs, I am as much offended as any man at seeing so many of them under the direct influence of the crown, or at the disposal of private persons; yet, I own, I have both doubts and apprehensions, in regard to the remedy you propose. I shall be charged, perhaps, with an unusual want of political intrepidity, when I honestly confess to you, that I am startled at the idea of so extensive an amputation. In the first place, I question the power, *de jure*, of the legislature to disfranchise a number of boroughs, upon the general ground of improving the constitution.—When you propose to cut away the *rotten* parts, can you tell us what parts are perfectly *sound?* Are there any certain limits, in fact or theory, to inform you at what point you must stop,—at what point the mortification ends?'[3]

JUNIUS has been repeatedly accused of having been a party-man, but perhaps no political satirist was ever less so. To Mr Wilkes and Mr Horne he was equally indifferent, except in regard to their public principles and public characters. In his estimation the cause alone was every thing, and they were only of value as the temporary and accidental supporters of it. 'Let us employ these men,' says he, 'in whatever departments their various abilities are best suited to, and as much to the advantage of the common cause, as their different inclinations will permit.—If individuals have no virtues, their vices may be of use to us. I care not with what principle the new-born patriot is animated, if the measures he supports are beneficial to the community. The nation is interested in his conduct. His motives are his own. The properties of a patriot are perishable in the individual, but there is a quick succession of subjects, and the breed is worth preserving.'[4] It was in this view of the politics of the day, that he privately cautioned his friend Woodfall, as has been already noticed, 'to be much upon his guard against *patriots*;'[5] and in the consciousness of possessing a truly independent spirit, that he boasted of being 'disowned, as a dangerous auxiliary, by every *party* in the kingdom,'[6] his creed not expressly comporting with any single party creed whatever.

Yet there were statesmen whom he believed to be truly honest and upright, and for whom he felt a personal as well as a political reverence: and it is no small proof of the keenness of his penetration that the characters, whom he thus singled out from the common mass of pretenders to genuine patriotism, have been ever since growing in the public estimation, and are now justly looked back to as the pillars and bulwarks of the English constitution. His high opinion of the general purity and virtue of lord Camden we have already noticed. 'Lord Bute,' says he, in describing several others of whom he equally approved, 'found no resource of dependence or security in the proud, imposing superiority of

[1] See Miscellaneous Letters, No. X., as well as various others in the year 1768.
[2] Letter LIX. [3] Letter LXIX.
[4] Letter LIX. [5] Private Letter, No. 44.
[6] Letter XLIV.

lord Chatham's abilities, the shrewd, inflexible judgment of Mr Grenville,[1] nor in the mild, but determined integrity of lord Rockingham.'[2] He also seems disposed to have entertained a good opinion of lord Holland; and this is the rather entitled to attention, as the opinion was communicated confidentially. 'I wish,' says he, 'lord Holland may acquit himself with honour: if his cause be good, he should at once have published that account to which he refers in his letter to the mayor.'[3] With respect to Mr Sawbridge, and his worthy colleague, he observes, 'My memory fails me if I have mentioned their names with disrespect;—unless it be reproachful to acknowledge a sincere respect for the character of Mr. Sawbridge, and not to have questioned the innocence of Mr Oliver's intentions.'[4] And again, adverting to the former, it were much to be desired, that we had many such men as Mr Sawbridge to represent us in parliament.—I speak from common report and opinion only, when I impute to him a speculative predilection in favour of a republic.—In the personal conduct and manners of the man, I cannot be mistaken. He has shown himself possessed of that republican firmness, which the times require, and by which an English gentleman may be as usefully and as honourably distinguished, as any citizen of ancient Rome, of Athens, or Lacedæmon.'[5]

Yet the times were too corrupt, and the instances of defection too numerous, to allow so wary a statesman as JUNIUS to regard even these exalted characters without occasional suspicion and jealousy. Much as he approved of the marquis of Rockingham personally, he regarded him publicly as forming a feeble administration that dissolved in its own weakness.[6] He had more than once some doubts of the motives both of lord Camden and lord Chatham: their opposition at the commencement of the American contest he was jealous of; and ascribed it rather to political pique than to liberal patriotism.[7] To his friend he writes thus confidentially, 'The duke of Grafton has been long labouring to detach Camden;'[8] and in unison with this idea he tells his Lordship himself publicly, 'If you decline this honourable office, I fear it will be said that, for some months past, you have kept too much company with the duke of Grafton.'[9] And even as late as August, 1771, when lord Chatham had been progressively growing on his good opinion, he thus cautiously praises him. '*If* his ambition be upon a level with his understanding;—*if* he judges of what is truly honourable for himself, with the same superior genius, which animates and directs him to eloquence in debate, to wisdom in decision, even the pen of JUNIUS shall contribute to reward him. Recorded honours shall gather round his monument, and thicken over him. It is a solid fabric, and will support the laurels that adorn it.—I am not conversant in the language of panegyric.—These praises are extorted from me; but they will wear well, for they have been dearly earned.'[10]

In his religious opinions JUNIUS has been accused of deism and atheism; but on what account it seems impossible to ascertain: he has by others been conceived to have been a dissenter;[11] yet with as little reason. To judge from the few passages in his own writings that have any bearing upon the question, and which occur chiefly in his letter, under the signature of Philo-Junius, of Aug. 26, 1771, Letter LV., he appears to have been a Christian upon the most sincere conviction; one of whose chief objects was to defend the religion established

[1] Of all the political characters of the day Mr Grenville appears to have been our author's favourite; no man was more open to censure in many parts of his conduct, but he is never censured; while, on the contrary, he is extolled wherever an opportunity offers: yet JUNIUS positively asserted that he had no personal knowledge of Mr Grenville. Compare Miscellaneous Letters, No. XXIX., with Letters, No. XVIII.

[2] Letter XV. [3] Private Letter, No. 5.
[4] Letter LIV.
[5] Letter LIX. [6] Letter XXIII.
[7] Letter I. [8] Private Letter, No. 47.
[9] Letter LXIX. [10] Letter LIV.
[11] Heron's edition of the Letters of JUNIUS, vol. i. p. 69.

by law, and who was resolved to renounce and give up to public contempt and indignation every man who should be capable of uttering a disrespectful word against it. To the religion of the court, it must be confessed that he was no friend; and to speak the truth it constituted, at the period in question, an anomaly not a little difficult of solution. To behold a sanctuary self-surrounded by a moat of pollution; a prince strictly and exemplarily pious, selecting for his confidential advisers men of the most abandoned debauchery and profligacy of life, demanded, in order to penetrate the mystery, a knowledge never completely acquired till the present day, which has sufficiently demonstrated how impossible it is for a king of England to exercise at all times a real option in the appointment of his ministers. The severity with which our author uniformly satirized every violation of public decorum, at least entitles him to public gratitude, and does credit to the purity of his heart:[1] and if his morality may be judged of by various occasional observations and advices scattered throughout his private intercourse with Mr Woodfall, some instances of which have already been selected, it is impossible to do otherwise than approve both his principles and his conduct.

Whether the writer of these letters had any other and less worthy object in view than that he uniformly avowed, namely, a desire to subserve the best political interests of his country, it is impossible to ascertain with precision. It is unquestionably no common occurrence in history, to behold a man thus steadily, and almost incessantly, for five years, volunteering his services in the cause of the people, amidst abuse and slander from every party, exposed to universal resentment, unknown, and not daring to be known, without having any personal object to acquire, any sinister motive of individual aggrandizement or reward. Yet nothing either in his public or private letters affords us any tangible proof that he was thus actuated.[2] Throughout the whole, from first to last, in the midst of all his warmth and rancour, his argument and declamation, his appeal to the public, and his notes to his confidential friend, he seems to have been influenced by the stimulus of sound and genuine patriotism alone. With this he commenced his career, and with this he retired from the field of action, retaining, at least a twelvemonth afterwards, the latest period in which we are able to catch a glimpse of him, the same political sentiments he had professed on his first appearance before the world, and still ready to renew his efforts the very moment he could perceive they had a chance of being attended with benefit. Under these circumstances, therefore, however difficult it may be to acquit him altogether of personal considerations, it is still more difficult, and must be altogether unjust, ungenerous, and illogical, to suspect his integrity.

It has often been said, from the general knowledge he has evinced of English jurisprudence, that he must have studied the law professionally: and in one of his Private Letters already quoted, he gives his personal opinion upon the mode in which the information of the King against Woodfall was drawn up, in a manner that may serve to countenance such an opinion. Yet on other occasions he speaks obviously not from his own professional knowledge, but from a consultation with legal practitioners: 'The information,' says he, 'will only be for a misdemeanour, and *I am advised* that no jury, escebially in these times, will find it.'[3] In like[4] manner, although he affirms in his

[1] See especially Letters XIII., XIV., and XXIII.

[2] The only hints which can be gathered that he had any prospect at any time of engaging in public life, are in Private Letters, No. 17 and No. 65: but even these are of questionable meaning.

[3] Private Letter, No. 18.

[4] He speaks in like manner of legal consultation, and the difficulties he laboured under of obtaining legal advice, from the peculiarity of his situation, in Private Letter 70. And in the same letter, he makes the following pointed confession: 'though I use the terms of art, do not injure me so much as to suspect I am a lawyer. I had as lief be a Scotchman.'

elaborate letter to lord Mansfield, 'I well knew the *practice* of the court, and by what legal rules it ought to be directed;'[1] yet he is for ever contemning the intricacies and littlenesses of special pleading, and in his Preface declares unequivocally, 'I am no lawyer by profession, nor do I pretend to be more deeply read than every English gentleman should be in the laws of his country. If therefore the principles I maintain are truly constitutional, I shall not think myself answered, though I should be convicted of a mistake in terms, or of misapplying the language of the law.'[2]

That he was of some rank and consequence seems generally to have been admitted by his opponents, and must indeed necessarily follow, as has been already casually hinted at, from the facility with which he acquired political information, and a knowledge of ministerial intrigues. In one place he expressly affirms that his 'rank and fortune place *him* above a common bribe;'[3] in another, 'I should have hoped that even *my* name might carry some authority with it.'[4] On one occasion he intimates an intention of composing a regular history of the duke of Grafton's administration. 'These observations,' says he, 'general as they are, might easily be extended into a faithful history of your Grace's administration, and perhaps may be the employment of a future hour;'[5] and on another, that of Lord Townshend's, 'the history of this ridiculous administration shall not be lost to the public.'[6] And on two occasions, and on two occasions only, he appears to hint at some prospect, though a slender one, of taking a part in the government of the country. They occur in his Private Letters to Woodfall and Wilkes; to the former he says, '*if things take the turn I expect*, you shall know me *by my works*.'[7] To the latter, '*though I do not disclaim the idea of some personal views to future honour and advantage* (you would not believe me if I did), *yet I can truly affirm, that neither are they little in themselves, nor can they, by any possible conjecture, be collected from my writings*.'[8]

Of those who have critically analyzed the style of his compositions, some have pretended to prove that he must necessarily have been of Irish descent or Irish education, from the peculiarity of his idioms; while, to show how little dependence is to be placed upon any such observations, others have equally pretended to prove, from a similar investigation, that he could not have been a native either of Scotland or Ireland, nor have studied in any university of either of those countries. The fact is, that there are a few phraseologies in his letters peculiar to himself; such as occur in the compositions of all original writers of great force and genius, but which are neither indicative of any particular race, nor referable to any provincial dialect.

The distinguishing features of his style are ardour, spirit, perspicuity, classical correctness, sententious, epigrammatic compression: his characteristic ornaments, keen, indignant invective, audacious interrogation, shrewd, severe, antithetic retort, proud, presumptuous disdain of the powers of his adversary, pointed and appropriate allusions that can never be mistaken, but are often overcharged, and at times perhaps totally unfounded, though derived from popular rumour, similies introduced, not for the purpose of decoration, but of illustration and energy, brilliant, burning, admirably selected, and irresistible in their application.[9]

[1] Letter LXVIII. [2] Pref., p. 115.
[3] Miscellaneous Letters, No. LIV.
[4] Letter III.
[5] Letter XI. [6] Page 217, *note*.
[7] Private Letter, No. 17. [8] Id., No. 65.
[9] The following character of his style and talents is the production of a pen contemporaneous but hostile to him. It occurs in a letter in the Public Advertiser subscribed Alciphron, and dated August 22, 1771. The writer had well studied him.

'The admiration that is so lavishly bestowed upon this writer, affords one of the clearest proofs, perhaps, that can be found, how much more easily men are swayed by the imagination, than by the judgment; and that a fertile invention, glittering language, and sounding periods, act with far greater force upon the mind, than the simple deductions of sober reasoning, or the calm evidence of facts. For the talents of JUNIUS never appeared in demonstration.

'Rapid, violent, and impetuous, he affirms

In his similes, however, he is once or twice too recondite, and in his grammatical construction still more frequently incorrect. Yet the latter should in most instances perhaps, if not the whole, be rather attributed to the difficulty of revising the press, and the peculiar circumstances under which his work was printed and published, than to any inaccuracy or classical misconception of his own. As to the surreptitious copies of his letters, he frequently complains of their numerous errors, 'indeed,' says he, 'they are innumerable;'[1] and though the genuine edition labours under very considerably fewer, and on several occasions received his approbation on the score of accuracy, yet it would be too much to assert that it is altogether free from errors. In truth this was not to be expected, for it is not known that a single proof-sheet (excepting those containing the first two letters) was ever sent to him. 'You must correct the press yourself,' says he in one of his letters to Woodfall; 'but *I should be glad to see* corrected proofs of the two first sheets.'[2] The Dedication and Preface he certainly did not revise.

Yet if the grammatical construction be occasionally imperfect (sometimes hurried over by the author, and sometimes mistaken by the printer), the general plan and outline, the train of argument, the bold and fiery images, the spirited invective that pervade the whole, appear to have been always selected with the utmost care and attention. Such finished forms of composition bear in themselves the most evident marks of elaborate forecast and revisal, and the author rather boasted of the pains he had bestowed upon them than attempted to conceal his labour. In recommending to Woodfall to introduce into his purposed edition various letters of his own writing under other signatures, he adds, 'If you adopt this plan, I shall point out those which I would recommend; for you know, I do not, nor indeed have I time to, give equal care to them all.—As to JUNIUS, I must wait for fresh matter, as *this* is a character which must be kept up with credit.'[3] The private note accompanying his first letter to lord Mansfield commences thus, 'The inclosed, though begun within these few days, *has been greatly laboured*. It is very correctly copied, and I beg that you will take care that it be literally printed as it stands.'[4] The note accompanying his last and most celebrated letter observes as follows: 'At last I have concluded *my great work*, and I assure you with no small labour.'[5] On sending the additional papers for the genuine edition he asserts, 'I have no view but to serve you, and consequently have only to desire that the Dedication and Preface may be correct. Look to it;—if you take it upon yourself, I will not forgive your suffering it to be spoiled. *I weigh every word; and every alteration, in my eyes at least, is a blemish.*'[6] In like manner in his letter to Mr Horne, he interrogates him, 'What public question have I declined, what villain have I spared? *Is there no labour in the composition of these letters?*'[7] In effect no excellence of any kind is to be attained without labour: and the degree of excellence that characterizes the style of these addresses, intrinsically demonstrates the exercise of a labour un-

without reason, and decides without proof; as if he feared that the slow methods of induction and argument would interrupt him in his progress, and throw obstacles in the way of his career. But though he advances with the largest strides, his steps are measured. His expressions are selected with the most anxious care, and his periods terminated in harmonious cadence. Thus he captivates by his confidence, by the turn of his sentences, and by the force of his words. His readers are persuaded because they are agitated, and convinced because they are pleased. Their assent, therefore, is never withheld; though they scarcely know why, or even to what it is yielded.'

[1] Private Letter, No. 5.

[2] Private Letter, No. 40. The truth is that the genuine edition was reprinted from Wheble's: the author correcting a few, and Woodfall a few more of the blunders which had crept into Wheble's text; though many of them still remain untouched. The letters in this and the former edition have been carefully collated with the Public Advertisers, and a numerous list of other errors have been consequently expunged.

[3] Private Letter, No. 7. [4] Id., No. 24.
[5] Id., No. 40. [6] Id., No. 46. [7] Letter LIV.

sparing and unremitted. Mr Horne, in his reply, attempts to ridicule this acknowledgment: 'I compassionate,' says he, 'your labour in the composition of your letters, and will communicate to you the secret of my fluency.—Truth needs no ornament; and, in my opinion, what she borrows of the pencil is deformity.'[1] Yet no man ever bestowed more pains upon his compositions than Mr Horne has done: nor needed he to have been more ashamed of the confession than his adversary. To have made it openly would have been honest to himself, useful to the young, and salutary to the conceited.

His most elaborate letters are that to the King, and that to lord Mansfield upon the law of bail: one of his most sarcastic is that to the duke of Grafton, of the date of May 30, 1769; and one of his best and most truly valuable, that to the printer of the Public Advertiser, dated Oct. 5, 1771, upon the best means of uniting the jarring sectaries of the popular party into one common cause.

His metaphors are peculiarly brilliant, and so numerous, though seldom unnecessarily introduced, as to render it difficult to know where to fix in selecting a few examples. The following are ably managed, and require no explanation. 'The ministry, it seems, are labouring to draw a line of distinction between the honour of the crown and the rights of the people. This new idea has yet been only started in discourse, for, in effect, both objects have been equally sacrificed. I neither understand the distinction, nor what use the ministry propose to make of it. The king's honour is that of his people. Their *real* honour and *real* interest are the same.—I am not contending for a vain punctilio.—Private credit is wealth; public honour is security.—The feather that adorns the royal bird, supports its flight. Strip him of his plumage and you fix him to the earth."[2] Again: 'Above all things, let me guard my countrymen against the meanness and folly of accepting of a trifling or moderate compensation for extraordinary and essential injuries. Concessions, such as these, are of little moment to the sum of things; unless it be to prove, that the worst of men are sensible of the injuries they have done us, and perhaps to demonstrate to us the imminent danger of our situation. In the shipwreck of the state, trifles float and are preserved; while every thing solid and valuable sinks to the bottom, and is lost for ever.'[3] Once more: 'The very sun-shine you live in, is a prelude to your dissolution. When you are ripe, you shall be plucked.'[4] The commencement of his letter to lord Camden shall furnish another instance: 'I turn with pleasure, from that barren waste, in which no salutary plant takes root, no verdure quickens, to a character fertile, as I willingly believe, in every great and good qualification.'[5]

In a few instances his metaphors are rather too far-fetched or recondite: 'Yet for the benefit of the succeeding age, I could wish that your retreat might be deferred, until your morals shall be happily ripened to that maturity of corruption, at which the worst examples cease to be contagious.'[6] The change which is perpetually taking place in the matter of infection gives it progressively a point of utmost activity; after which period, by the operation of the same continued change, it becomes progressively less active, till at length it ceases to possess any effect whatever. The parallel is correctly drawn, but it cannot be followed by every one. In the same letter we have another example: 'His views and situation required a creature void of all these properties; and he was forced to go through every division, resolution, composition, and refinement of political chemistry, before he happily arrived at the *caput mortuum* of vitriol in your Grace. Flat and insipid in your retired state, but brought into action, you become vitriol again.'[7] This figure is too scientific, and not quite correct: *vitriol* cannot, properly speaking, be said to be, in any instance, a *caput*

[1] Letter LVI. [2] Letter XLII.
[3] Letter LIX. [4] Letter LXVII.
[5] Letter LXIX. [6] Letter XV.
[7] Letter XV.

mortuum. He seems, however, to have been unjustly charged with an incongruity of metaphor in his repartee upon the following observation of sir W. Draper, 'You, indeed, are a tyrant of another sort, and upon your political bed of torture can excruciate any subject, from a first minister down to such a grub or butterfly as myself.'[1] To this remark his reply was as follows: 'If sir W. Draper's bed be a bed of torture, he has made it for himself. I shall never interrupt *his repose*.'[2] We need not ramble so far as to vindicate the present use of this last word by referring to its Latin origin: he himself has justly noticed under the signature of Philo-Junius, that those who pretend to espy any absurdity either in the idea or expression, 'cannot distinguish between a sarcasm and a contradiction.'[3]

To pursue this critique further would be to disparage the judgment of the reader. Upon the whole these letters, whether considered as classical and correct compositions, or as addresses of popular and impressive eloquence, are well entitled to the distinction they have acquired; and quoted as they have been, with admiration, in the senate by such nice judges and accomplished scholars as Mr Burke and lord Eldon, eulogized by Dr Johnson, and admitted by the author of the Pursuits of Literature to the same rank among English classics as Livy or Tacitus among Roman, there can be no doubt that they will live commensurately with the language in which they are composed.

These few desultory and imperfect hints are the whole that the writer of this essay has been able to collect concerning the author of the Letters of JUNIUS. Yet desultory and imperfect as they are, he still hopes that they may not be utterly destitute both of interest and utility. Although they do not undertake positively to ascertain who the author was; they offer a fair test to point out negatively who he was not; and to enable us to reject the pretensions of a host of persons, whose friends have claimed for them so distinguished an honour.

From the observations contained in this essay it should seem to follow unquestionably that the author of the Letters of JUNIUS was an Englishman of highly cultivated education, deeply versed in the language, the laws, the constitution, and history of his native country: that he was a man of easy if not of affluent circumstances, of unsullied honour and generosity, who had it equally in his heart and in his power to contribute to the necessities of other persons, and especially of those who were exposed to troubles of any kind on his own account: that he was in habits of confidential intercourse, if not with different members of the cabinet, with politicians who were most intimately familiar with the court, and entrusted with all its secrets: that he had attained an age which would allow him, without vanity, to boast of an ample knowledge and experience of the world: that during the years 1767, 1768, 1769, 1770, 1771, and part of 1772, he resided almost constantly in London or its vicinity, devoting a very large portion of his time to political concerns, and publishing his political lucubrations, under different signatures, in the Public Advertiser: that in his natural temper he was quick, irritable, and impetuous; subject to political prejudices and strong personal animosities; but possessed of a high independent spirit; honestly attached to the principles of the constitution, and fearless and indefatigable in maintaining them; that he was strict in his moral conduct, and in his attention to public decorum; an avowed member of the established church, and, though acquainted with English judicature, not a lawyer by profession.

What other characteristics he may have possessed we know not; but these are sufficient; and the claimant who cannot produce them conjointly is in vain brought forward as the author of the Letters of JUNIUS.

The persons to whom this honour has at different times, and on different grounds, been attributed are the following: Charles

[1] Letter XXVI. [2] Letter XXVII. [3] Letter XXIX.

Lloyd, a clerk of the Treasury, and afterwards a deputy teller of the Exchequer; John Roberts, also a clerk in the Treasury at the commencement of his political life, but afterwards private secretary to Mr Pelham when successively chancellor of the exchequer, member of parliament for Harwich, and commissioner of the board of trade;[1] Samuel Dyer, a man of considerable learning, and a friend of Mr Burke and of Dr Johnson; William Gerard Hamilton, another friend and patron of Mr Burke; Edmund Burke himself; Dr Butler, late bishop of Hereford; the Rev. Philip Rosenhagen; major-general Charles Lee, well known for his activity during the American war; John Wilkes; Hugh Macauley Boyd; John Dunning, lord Ashburton; Henry Flood; and lord George Sackville.

Of the first three of these reported authors of the Letters of JUNIUS, it will be sufficient to observe, without entering into any other fact whatever, that Lloyd was on his death-bed at the date of the last of JUNIUS's private letters; an essay, which has sufficient proof of having been written in the possession of full health and spirits; and which, together with the rest of our author's private letters to the Printer of the Public Advertiser, is in the possession of the proprietor of this edition, and bears date January 19th, 1773. While as to Roberts and Dyer, they had both been dead for many months anterior to this period: Lloyd died, after a lingering illness, January 22nd, 1773; Roberts, July 13th, and Dyer on September 15th, both in the preceding year.

Of the two next reputed authors, Hamilton had neither energy nor personal courage enough for such an undertaking,[2] and Burke could not have written in the style of JUNIUS, which was precisely the reverse of his own, nor could he have consented to disparage his own talents in the manner in which JUNIUS has disparaged them in his letter to the Printer of the Public Advertiser, dated October 5, 1771; independently of which, both of them solemnly denied that they were the authors of these letters, Hamilton to Mr Courtney in his last illness, as that gentleman has personally informed the editor; and Burke expressly and satisfactorily to sir William Draper, who purposely interrogated him upon the subject; the truth of which denial is, moreover, corroborated by the testimony of the late Mr Woodfall, who repeatedly declared that neither of them was the writer of these compositions. Why Burke was so early and generally suspected of having written them it is not easy to say; but that he was so suspected is obvious not only from the opinion at first entertained by sir William Draper, but from various public accusations conveyed in different newspapers and pamphlets of the day; the Public Advertiser in the month of October containing one letter under the signature of Zeno, addressed 'to JUNIUS, alias Edmund, the Jesuit of St Omers;'[3] another under the signature of Pliny Junior, a third under that of Querist, a fourth under that of Oxoniensis, and a fifth under that of Scævola, together with many others to the same effect: and, as has already been hinted at, an anonymous collector of many of the letters of JUNIUS, prefixing to his own edition certain anecdotes of Mr Burke, which he confidently denominated 'Anecdotes of JUNIUS,' thus purposely, but fal-

[1] Anonymously accused of having written these letters in the Public Advertiser, March 21, 1772, *et passim*.

[2] Hamilton, from his having *once* made a brilliant speech in the Lower House of Great Britain, and ever afterwards remaining silent, was called *Single-speech* Hamilton. In allusion to this fact, and that he was the real JUNIUS, there is a letter in the Public Advertiser of November 30, 1771, addressed to WILLIAM JUNIUS SINGLE-SPEECH, Esq. The air of Dublin however should seem, according to Mr Malone's account of him, to have been more favourable to his rhetorical powers than that of Westminster: for this writer tells us that Mr Hamilton made not less than five speeches in the Irish Parliament in the single Session of 1761—2. *Parliamentary Logic*, *Pref.* p. xxii. Lord Orford, indeed, contrary to general rumour, intimates that he was twice a speaker in the British Parliament. *Parliamentary Logic.*

[3] See Note to Letter LXI., p. 312.

laciously, identifying the two characters.[1]

If however there should be readers so inflexible as still to believe that Mr Burke was the real writer of the Letters of JUNIUS, and that his denial of the fact to sir William Draper was only wrung from him under the influence of fear, it will be sufficient to satisfy even such readers by showing that the system of politics of the one was in direct opposition to that of the other upon a variety of the most important points. Burke was a decided partisan of lord Rockingham, and continued so during the whole of that nobleman's life: JUNIUS, on the contrary, was as decided a friend to Mr George Grenville. Each was an antagonist to the other upon the great subject of the American Stamp Act. JUNIUS was a warm and powerful advocate for triennial parliaments; Burke an inveterate enemy to them. To which the editor may be allowed to add, that while Mr Burke in correcting his manuscripts for the press, and revising them in their passage through it, is notorious for the numerous alterations he was perpetually making, the revised copy with which the late Mr Woodfall was furnished by JUNIUS for such part of the genuine edition of his Letters, as he re-examined, contained very few amendments of any kind.

The following extracts from Mr Burke's celebrated speech on American taxation, delivered April 19, 1774, will put the reader into possession of that gentleman's arguments upon each of the above public questions, and, compared with the short subjoined extracts from JUNIUS, will justify the contrast which the editor has thus ventured to offer. It will also present the reader with a brilliant specimen of the eloquence of both characters.

Mr Burke observes, in the course of this celebrated speech,[2] that 'In the year 1765, being in a very private station, far enough from any line of business, and not having the honour of a seat in this House, it was my fortune, unknowing and unknown to the then ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the

[1] In addition to the above proofs that Burke and JUNIUS were not the same person, the editor might refer to the prosecution which Mr Burke instituted against Mr Woodfall, the printer of the Public Advertiser, and conducted with the utmost acrimony for a paper deemed libellous that appeared in this journal in the course of 1783. Considerable interest was made with Mr Burke to induce him to drop this prosecution in different stages of its progress, but he was inexorable. The cause was tried at Guildhall, July 15, 1784, and a verdict of a hundred pounds damages was obtained against the printer; the whole of which was paid to the prosecutor. It is morally impossible that JUNIUS could have acted in this manner: every anecdote in the preceding sketch of his public life forbids the belief that he could.

Neither is it to be conceived, without greatly disparaging Mr Burke's memory, that he could have written the letter to Garrick which JUNIUS wrote (see No. 41); nor have spoken in the terms in which JUNIUS has spoken of Chamier, while he professed for both a warm and unreserved friendship. We may also further remark that the well-known pamphlet, entitled 'The Present State of the Nation,' published in 1769 by Mr George Grenville, was immediately answered by Mr Burke in a tract entitled 'Observations on a late publication, entituled, The Present State of the Nation,'—in which the political opinions of Mr Grenville, and consequently of JUNIUS, who, as we have already observed, was the general advocate of Mr Geo. Grenville, are censured with a vehemence peculiar to Mr Burke, and altogether sufficient, were there no other proof, to demonstrate that Burke and JUNIUS could not be the same person. The reader may take the following extracts as specimens:—'*This piece is called, The present State of the Nation. It may be considered as a sort of digest of the avowed maxims of a certain political school, the effects of whose doctrines and practices this country will feel long and severely.*' * * * * '*A diversity of opinion upon almost every principle of politics had indeed drawn a strong line of separation between them and some others.* [The marquess of Rockingham.] * * * * 'The purpose of this pamphlet, and at which it aims directly or obliquely in every page, is to persuade the public of three or four of the most difficult points in the world—that all the advantages of the late war were on the part of the Bourbon alliance; that the peace of Paris perfectly consulted the dignity and interest of this country; *and that the American Stamp Act was a master-piece of policy and finance;* that the only good minister this nation has enjoyed since his Majesty's accession, is the earl of Bute; and the only good managers of revenue we have seen are lord Despenser *and Mr George Grenville; and under the description of men of virtue and ability, he holds them out to us as the only persons fit to put our affairs in order.*'—Burke's Works, vol. ii. 8vo edit., pages 11, 12, and 15.

[2] See 8vo edit. of his Works, vol. ii. p. 389, *et seq.*

Fac Similes of handwritings of Gentlemen whose names have been mentioned as the Author of the letters.

Mr Boyds.

Mr Woodfall will oblige his Correspondent by keeping the first Place in tomorrow's Public Adv.r / about half a Column, or a little more, / for a Paper on an immediate Subject. He will send it in two or three hours at farthest, — & another some time before Dinner tomorrow, — which Mr W. will please to insert in the same manner on Wednesday. Norfolk St. May 4th —

Mr Wilkes's.

That the Warders appointed to keep a close Prisoner shall not presume to leave him for a moment alone either night or day, or to change their duty with other Warders but by particular leave or order from the Constable, Lieutenant, Deputy Lieutenant or in their absence the Mayor of the Tower.

They are to permit no person to have admittance into the Room he is confined in, or to speak to him but by a particular order brought them by the Mayor or Gentleman Gaoler.

Chs. Rainsford.

Mr Horne Tooke's. I am well pleased and perfectly satisfied © If you will sign a fair Copy of the inclosed and cannot get Mr C. to present it for you; send it to me, and I will get it presented.

Whatever happens, do you persevere and persist, and wonder at nothing. All stands well.

Mr Burkes.

~~Goes next~~ The Wisdom of Government is of more importance than the Law — I should study the temper of the people before I ventured on prosecutions — I would consider the whole of the prosecution of a Libel of such importance as Junius, as one piece as one consistent plan of operations —

Junius's.

to Mr Printer Woodfall

in

Paternosterrow.

Mr Farrer,

My Servant informs me of a Paper left at my House which he carried to you, & about which you said it would be necessary to write to me — be so good as to let me know what it is, & if you want to see me, call on me as soon as you can, as I go out of Town to day

Yrs &c

W.G Hamilton

Friday

Treasury department [lord Rockingham]. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward.'[1]

'I think the enquiry lasted in the committee for six weeks; and at its conclusion this House, by an independent, noble, spirited, and unexpected majority; by a majority that will redeem all the acts ever done by majorities in parliament; in the teeth of all the old mercenary Swiss of state, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a court, gave a total repeal to the Stamp Act, and (if it had been so permitted) a lasting peace to this whole empire.'[2]

'I will likewise do justice, I ought to do it, to the honourable gentleman who led us in this House [general Conway]. Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough (it could not be concealed from anybody) the true state of things; but, in my life, I never came with so much spirits into this House. It was a time for a *man* to act in. We had powerful enemies; but we had faithful and determined friends; and a glorious cause. We had a great battle to fight; but we had the means of fighting; not as now, when our arms are tied behind us. We did fight that day and conquer.'[3]

'I remember, Sir, with a melancholy pleasure, the situation of the hon. gentleman [general Conway] who made the motion for the repeal; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited almost to a winter's return of light, their fate from your resolutions. When, at length, you had determined in their favour, and your doors thrown open, showed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all America, joined in his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. "Hope elevated and joy brightened his crest." I stood near him; and his face, to use the expression of the Scripture of the first martyr, "his face was as if it had been the face of an angel." I do not know how others feel; but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow. I did hope, that that day's danger and honour would have been a bond to hold us all together for ever. But, alas! that, with other pleasing visions, is long since vanished.

'Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an administration, that, having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took *no* middle lines. *They differed fundamentally from the schemes of both parties;* but they preserved the objects of both. They preserved the authority of Great Britain. They preserved the equity of Great Britain. They made the Declaratory Act; they repealed the Stamp Act. They did both *fully;* because the Declaratory Act was *without qualification*, and the repeal of the Stamp Act *total*."[4]

'Sir, the agents and distributors of false-

[1] Burke's Works, vol. ii. p. 399.
[2] Id., p. 403.
[3] Id., p. 407.
[4] Burke's Works, vol. ii. p. 409.

hoods have, with their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in America of the change in the ministry. No longer awed, it seems, with the spirit of the former rulers, they thought themselves a match for what our *calumniators chuse to qualify by the name of so feeble a ministry as succeeded:* Feeble in one sense these men certainly may be called; for with all their efforts, and they have made many, they have not been able to resist the distempered vigour and insane alacrity with which you are rushing to your ruin.' [1]

'On this business of America I confess I am serious, even to sadness. I have had but one opinion concerning it since I sat, and before I sat in parliament. * * * * * I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason than that I think it laid deep in your truest interests, and that by limiting the exercise, it fixes on the firmest foundations a real, consistent, well-grounded authority in parliament. Until you come back to that system, there will be no peace for England.' [2]

'No man can believe, that at this time of day I mean to lean on the venerable memory of a great man whose loss we deplore in common. Our little party differences have been long ago composed; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business not as a duty which he was to fulfil, but as a pleasure he was to enjoy; and he seemed to have no delight out of this House, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself not by the low pimping politics of a court, but to win his way to power through the laborious gradations of public service; and to secure himself a well-earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business. * * * * He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together; but it is not apt, except in persons very happily born, to open and to liberalize the mind exactly in the same proportion.' [3]

Let the reader compare the opinions contained in the above extracts with the following, taken almost at hazard, from different productions of JUNIUS, and he will have no difficulty in determining that the writer of the one set could not be the writer of the other.

'To prove the meaning and intent of the legislature, will require a minute and tedious deduction. To investigate a question of law demands some labour and attention, though very little genius or sagacity. As a practical profession, the study of the law requires but a moderate portion of abilities. The learning of a pleader is usually upon a level with his integrity. The indiscriminate defence of right and wrong contracts the understanding, while it corrupts the heart. Subtlety is soon mistaken for wisdom, and impunity for virtue. If there be any instances upon record, as some there are undoubtedly, of genius and morality united in a lawyer, they are distinguished by their singularity, and operate as exceptions.' [4]

'Whenever the question shall be seriously agitated, I will endeavour (and if I live, will assuredly attempt it,) to convince the English nation, by arguments to *my* understanding unanswerable, that they ought to insist upon a triennial, and banish the idea of an annual parliament. * * * * *

[1] Burke's Works, vol. ii. p. 414.
[2] Id., p. 439.
[3] Burke's Works, vol. ii. p. 389.
[4] Letter LXVIII.

I am convinced that, if shortening the duration of parliaments (which in effect is keeping the representative under the rod of the constituent) be not made the basis of our new parliamentary jurisprudence, other checks or improvements signify nothing.' [1]

'When the Septennial Act passed, the legislature did what, apparently and palpably, they had no power to do; but they did more than people in general were aware of; they, in effect, disfranchised the whole kingdom for four years.' [2]

'It would be to no purpose at present to renew a discussion of the merits of the Stamp Act, though I am convinced that even the people who were most clamorous against it, either never understood, or wilfully misrepresented every part of it. But it is truly astonishing that a great number of people should have so little foreseen the inevitable consequence of repealing it. * * * * * * * * * There was indeed one man [G. Grenville] who wisely foresaw every circumstance which has since happened, and who, with a patriot's spirit, opposed himself to the torrent. He told us, that, if we thought the loss of outstanding debts, and of our American trade, a mischief of the first magnitude, such an injudicious compliance with the terms dictated by the colonies, was the way to make it sure and unavoidable. It was *ne moriare, mori.* We see the prophecy verified in every particular, and if this great and good man was mistaken in any one instance, it was, perhaps, that he did not expect his predictions to be fulfilled so soon as they have been.' [3]

'It is not many months since you gave me an opportunity of demonstrating to the nation, as far as rational inference and probability could extend, that the hopes which some men seemed to entertain, or to profess at least, with regard to America, were without a shadow of foundation. * * * * * * * But whatever were their views or expectations, whether it was the mere enmity of party, or the real persuasion that they had but a little time to live in office, every circumstance that I then foretold is confirmed by experience. * * * * * * * We find ourselves at last reduced to the dreadful alternative of either making war upon our colonies, or of suffering them to erect themselves into independent states. It is not that I hesitate now upon the choice we are to make. Every thing must be hazarded. But what infamy, what punishment do those men deserve, whose folly or whose treachery hath reduced us to this state, in which we cannot give up the cause without a certainty of ruin, nor maintain it without such a struggle as must shake the empire. * * * * * * * * Mr Conway since last December has, in the face of the House of Commons, defended the resistance of the colonies upon what he called revolution principles. * * * * * * * * If we look for their motives, we shall find them such as weak and interested men usually act upon. They were weak enough to hope that the crisis of Great Britain and America would be reserved for their successors in office, and they were determined to hazard even the ruin of their country, rather than furnish the man [G. Grenville] whom they feared and hated, with the melancholy triumph of having truly foretold the consequences of their own misconduct. But this, such as it is, the triumph of a heart that bleeds at every vein, they cannot deprive him of. They dreaded the acknowledgment of his superiority over them, and the loss of their own authority and credit, more than the rebellion of near half the empire against the supreme legislature. * * * * * * * * It is impossible to conceal from ourselves, that we are at this moment on the brink of a dreadful precipice; the question is whether we shall submit to be guided by the hand which hath driven us to it, or whether we shall follow the patriot voice [G. Grenville's] which has not ceased to warn us of our dangers, and which would still declare the way to safety and to honour.' [4]

[1] Letter LXIX. [2] Ibid.
[3] Miscellaneous Letters, No. X.
[4] Miscellaneous Letters, No. XXIX.

'Whether it be matter of honour or reproach, it is at least a singular circumstance, that whoever is hardy enough to maintain the cause of Great Britain against subjects who disown her authority, or to raise his voice in defence of the laws and constitution, is immediately pointed out to the public for Mr Grenville's friend. * * * * * * * * It is true he professes doctrines which would be treason in America, but in England at least he has the laws on his side, and if it be a crime to support the supremacy of the British legislature, the Sovereign, the Lords and Commons, are as guilty as he is. * * * * * * * If the pretensions of the colonies had not been abetted by something worse than a faction here, the Stamp Act would have executed itself. Every clause of it was so full and explicit that it wanted no further instruction; nor was it of that nature that required a military hand to carry it into execution. For the truth of this I am ready to appeal even to the colonies themselves. * * * * * * * * * * Your correspondent [who had answered Miscell. Lett. XXIX.] confesses that Mr Grenville is still respectable; yet he warns the friends of that gentleman not to provoke him, lest he should tell them what they may not like to hear. These are but words. He means as little when he threatens as when he condescends to applaud. Let us meet upon the fair ground of truth, and if he finds one vulnerable part in Mr Grenville's character, let him fix his poisoned arrow there.' [1]

'If there be any thing improper in this address [a letter addressed to G. Grenville], the singularity of your present situation will, I hope, excuse it. Your conduct attracts the attention, because it is highly interesting to the welfare of the public, and a private man who only expresses what thousands think, cannot well be accused of flattery or detraction. * * * * * * * * This letter, I doubt not, will be attributed to some party friend, by men who expect no applause but from their dependents. But you, Sir, have the testimony of your enemies in your favour. After years of opposition, we see them revert to those very measures with violence, with hazard and disgrace, which in the first instance might have been conducted with ease, with dignity and moderation.

'While parliament preserves its constitutional authority, you will preserve yours. As long as there is a real representation of the people, you will be heard in that great assembly with attention, deference, and respect; and if, fatally for England, the designs of the present ministry should at last succeed, you will have the consolation to reflect that your voice was heard, until the voice of truth and reason was drowned in the din of arms; and that your influence in parliament was irresistible, until every question was decided by the sword.' [2]

How far the same principles were supported by the same writer under the signature of JUNIUS, the reader will find in Letters I. and LIX., and it is not necessary to copy farther.

Mr Malone, in his preface to a well-known work of Mr Hamilton, entitled Parliamentary Logic, [3] offers a variety of remarks in disproof that this gentleman was the writer of the letters, several of which are possessed of sufficient force, though few persons will perhaps agree with him in believing that if Hamilton had written them, he would have written them better. The following are his chief arguments:

'Now (not to insist on his own solemn asseveration near the time of his death, that he was not the author of JUNIUS) [4] Mr Hamilton was so far from being an ardent party man, that during the long period above mentioned [from Jan. 1769 to Jan. 1772] he never closely connected himself with any party. * * * * Notwithstanding his extreme love of political discussion, he never, it is believed, was heard to speak of any administration or any opposition with ve-

[1] Miscellaneous Letters, No. XXXI.
[2] Id., No. LIII.
[3] P. xxx. *et seq.*
[4] 'It has been said that he at the same time declared that he *knew* who was the author; but unquestionably he never made any such declaration.' MALONE.

hemence either of censure or of praise; a character so opposite to the fervent and sometimes coarse acrimony of JUNIUS, that this consideration alone is sufficient to settle the point, as far as relates to our author, for ever. * * * * On the question —who *was* the author?—he was as free to talk as any other person, and often did express his opinion concerning it to the writer of this short memoir; an opinion nearly coinciding with that of those persons who appear to have had the best means of information on the subject. In a conversation on this much agitated point, he once said to an intimate friend, in a tone between seriousness and pleasantry,—"You know, H * * * * * * * n, I could have written better papers than those of JUNIUS:" and so the gentleman whom he addressed, who was himself distinguished for his rhetorical powers, and a very competent judge, as well as many other persons, thought.

'It may be added, that his style of composition was entirely different from that of this writer. * * * * That he had none of that minute *commissarial* knowledge of petty military matters, which is displayed in some of the earlier papers of JUNIUS.

'And finally it may be observed, that the figures and allusions of JUNIUS are often of so different a race from those which our author [Hamilton] would have used, that he never spoke of some of them without the strongest disapprobation; and particularly when a friend, for the purpose of drawing him out, affected to think him the writer of these papers; and bantering him on the subject, taxed him with that passage in which a nobleman, then in a high office, is said to have "travelled through every sign in the political zodiac, from the SCORPION, in which he *stung* lord Chatham, to the hopes of a VIRGIN," &c., as if this imagery were much in his style,—Mr Hamilton with great vehemence exclaimed, "had I written such a sentence as that, I should have thought I had forfeited all pretensions to good taste in composition for ever!"'

Mr Malone further observes, that Hamilton filled the office of chancellor of the exchequer in Ireland, from September, 1763, to April, 1784, during the very period in which all the letters of JUNIUS appeared before the public; and it will not very readily be credited by any one that this is likely to have been the exact quarter from which the writer of the letters in question fulminated his severe criminations against government. The subject moreover of parliamentary reform, for which JUNIUS was so zealous an advocate, Mr Malone expressly tells us was considered by Hamilton to be 'of so dangerous a tendency, that he once said to a friend now living, that he would sooner suffer his right hand to be cut off, than vote for it.'

The only reason indeed that appears for these letters having ever been attributed to Hamilton is, that on a certain morning he told the duke of Richmond, as has been already hinted at,[1] the *substance* of a letter of JUNIUS which he pretended to have just read in the Public Advertiser; but which, on consulting the Public Advertiser, was not found to appear there, an apology instead of it being offered for its postponement till the next day, when the letter thus previously adverted to by Hamilton did actually make its appearance. That Hamilton, therefore, had a knowledge of the existence and purport of this letter is unquestionable; but without conceiving him the author of it, it is easy to account for the fact, by supposing him (as we have supposed already) to have had it read to him by his friend Woodfall, antecedently to its being printed.

Another character that has been started as a claimant to the letters of JUNIUS, is the late Dr Butler, bishop of Hereford, formerly secretary to the right hon. Bilson Legge, chancellor of the exchequer, and father to the present lord Stawell. Dr Butler was a man of some talents, and was occasionally a political writer, and felt no small disgust and mortification upon his patron's dismissal from office. But he

[1] See *ante*, p. 4, note.

never discovered those talents that could in any respect put him upon an equality with JUNIUS. He was moreover a man of mild disposition, and in no respect celebrated for political courage. To which general remarks, in contravention of this gentleman's claim, the editor begs leave to subjoin the following extract of a letter upon the subject, addressed by a friend of Dr Butler's, and who himself took an active part in the politics of the times, to a high official character of the present day, and which he has been allowed the liberty of copying :—

'Mr Wilkes showed me the letters he received *privately* from JUNIUS: *parts* of one of these were printed in the public papers at the request of the Bill of Rights. The autograph was remarkable—it was firm and precise, and did not appear to me at all disguised. Mr Wilkes had been intimate with bishop Butler when quartered as colonel of the militia at Winchester; and from some very curious concurrent circumstances, he had strong reasons for considering that the bishop was the author, and I had some reasons for conjecturing the same. Yet I must confess, that if these suspicions were stronger and more confirmed, yet I think I should require more substantial proofs; and my reasons are, that from all I was ever able to learn of the bishop's *personal character*, he was incapable of discovering, or feeling, those rancorous sentiments, so unbecoming his character as a Christian, and his station as a prelate, expressed towards the duke of Grafton, lord North, sir William Draper, and others—more especially the king. Nor do I think that his being the sole depositary of his own secret, which, as JUNIUS says, would be, and I fancy *was*, buried in everlasting oblivion when he was entombed, would have encouraged him to have used such opprobrious language.'

The pretensions of the Rev. Philip Rosenhagen, though adverted to in a preceding edition of these letters, are hardly worth noticing. He was at one time chaplain to the 8th regiment of foot; and is said to have endeavoured to impose upon lord North with a story of his having been the author of the letters in order to induce his Lordship to settle a pension upon him. It is sufficient to observe, that Mr Rosenhagen, who was a school-fellow of Mr H. S. Woodfall, continued on terms of acquaintance with him in subsequent life; and occasionally wrote for the Public Advertiser; but was repeatedly declared by Mr Woodfall, who must have been a competent evidence as to the fact, not to be the author of JUNIUS's Letters. A private letter of Rosenhagen's to Mr Woodfall is still in the possession of his son, and nothing can be more different from each other than this autograph and that of JUNIUS.

It has been said in an American periodical work entitled 'The Wilmington Mirror,' that general Lee in confidence communicated to a friend the important secret that he was the author of these celebrated letters; but, whether Lee ever made such a communication or not, nothing is more palpable than that he did not write them—since it is a notorious fact, that during the whole, or nearly the whole, of the period in which they successively appeared, this officer was on the continent of Europe, travelling from place to place, and occupying the whole of his time in very different pursuits.

The friend to whom this communication is said to have been made, is a Mr T. Rodney, who declares as follows in a communication inserted in the above-mentioned American periodical work.

'In the fall of 1773, not long after general Lee had arrived in America, I had the pleasure of spending an afternoon in his company, when there was no other person present. Our conversation chiefly turned on politics, and was mutually free and open. Among other things, the Letters of JUNIUS were mentioned, and general Lee asked me, who was conjectured to be the author of these letters. I replied, our conjectures here generally followed those started in England; but for myself, I concluded, from the spirit, style, patriotism, and poli-

Fac Similes of handwritings of Gentlemen whose names have been mentioned as the Author of the Letters.

London July ye 21st 1763.

Sir.

I take the liberty to acquaint You that
the
A bearer of this Mr Mclinctor was an Ensign in the
Regt of which I was Major, and that He is of an
unexceptionable character both as an Officer and
Gentleman—

I am, Sir, Your Most Obedt Servt
Chas: Lee.

The Citizens of London appearing to have an Interest not only in the subject of the By Law but in the Penalty enforcing it (for 1/3d of it being un-appropriated remains as I apprehend in the hands of the Chamberlain for the use of the City) there seems to be a manifest Impropriety in directing it to be sued for in the Mayors Court where the Head of the Corporation is the Judge & Freemen are by the Constitution of the Court to return & impannel the Jury tho' the Jury itself perhaps is not necessarily composed of Freemen—

J. Dunning

tical information which they displayed, that lord Chatham was the author; and yet there were some sentiments there that indicated his not being the author. General Lee immediately replied, with considerable animation, affirming, that to his certain knowledge, lord Chatham was not the author; neither did he know who the author was, any more than I did; that there was not a man in the world, no, not even Woodfall, the publisher, that knew who the author was; that the secret rested solely with himself, and for ever would remain with him.

'Feeling, in some degree, surprised at this unexpected declaration, after pausing a little, I replied: "No, general Lee,' if you certainly know what you have affirmed, it can no longer remain solely with him; for, certainly, no one could know what you have affirmed, but the author himself!"

'Recollecting himself, he replied: "I have unguardedly committed myself, *and it would be but folly to deny to you that I am the author;* but I must request that you will not reveal it during my life; for it never was, nor never will be, revealed by me to any other." He then proceeded to mention several circumstances to verify his being the author; and, among them, that of his going over to the Continent, and absenting himself from England most of the time in which these Letters were first published in London, &c., &c. This he thought necessary, lest, by some accident, the author should become known, or at least suspected, which might have been his ruin, had he been known to the court of London, &c.'

The account from which we have made this extract was reprinted in the St James's Chronicle for April 16, 1803, which the editor prefaces by observing, 'Of Mr Rodney, or of the degree of credit that may reasonably be attached to his declaration, we know nothing; but the subject is so curious, that we think our readers will not be averse from having their attention once more drawn to it.'

The public do not in any degree appear to have been influenced either by general Lee's pretended assertion, or Mr Rodney's positive declaration: and this claim had totally died away like the rest, when in 1807 it was revived by Dr Girdlestone of Yarmouth, Norfolk, who endeavoured to establish general Lee's pretensions by a comparison of Rodney's statement with Mr Langworthy's Memoirs of the general's life, in a pamphlet published anonymously, under the title of 'Reasons for rejecting the presumptive evidence of Mr Almon, that Mr Hugh Boyd was the writer of JUNIUS, with passages selected to prove the real author of the Letters of JUNIUS.' And in consequence of this revival of Mr Lee's claim, the editor feels himself called upon to examine its foundation somewhat more in detail.

The passages selected are in no respect convincing to his mind, and do not appear to have been so to that of the public. But without entering upon so disputable a question as that of a superiority of literary taste, it will be sufficient to remark that the great distance of general Lee from England during the period in which the letters of JUNIUS were published, together with the different line of politics which he pursued, render it impossible that Lee could have been the author of these letters.

The correspondence of general Lee previous to his quitting England for America, in August, 1773, as published by Mr Langworthy in the memoirs of his life, and adverted to in Dr Girdlestone's pamphlet, extend through a period of about thirteen months, from Dec. 1, 1766, to Jan. 19, 1768, and give us the following dates.

1766, Dec. 1. To the King of Poland, from London.
25. The Prince of Poland, the same.
1767, May 1. Mr Coleman, from Warsaw.
2. Mrs Macauley,[1] the same.

[1] The letter was not addressed to Mrs Macauley, but to lady Blake. Edit. of the present work.

1767, May 4. Louisa C., the same.
4. Lord Thanet, the same.
Aug. 16. King of Poland, Kamineck.
1768, Jan. 19. Sir C. Davers, Dijon.

The dates of the letters written by JUNIUS under his occasional signatures are as follows:

1767, April 28. Poplicola.
May 28. The same in answer to a letter of Sir William Draper's, of May 21.
June 24. Anti-Sejanus, Jun.
Aug. 25. A Faithful Monitor, on the subject of lord Townshend's appointment to be Lord Lieut. of Ireland, which took place the preceding Aug. 12.
Sept. 16. Correggio.
Oct. 12. Moderator, in answer to a letter of October 6.
22. Grand Council.
31. No signature, in answer to a letter of Oct. 27.
Dec. 5. Y. Z. on the King's speech, on opening the parliament Nov. 24, 1767: the receipt of which will be found acknowledged by the printer in his usual method among the 'answers to correspondents,' Nov. 30.
19. No signature, on the subject of American politics.
22. Downright.

It is only necessary for the reader to compare these two lists of dates, and places; as for example, London, and Warsaw, or Kamineck, during the two months of May and August, and to observe the rapidity with which the letters of JUNIUS were furnished, in answer to the different subjects discussed, to obtain a full proof that the latter list of letters could not have been written by the author of the former.

These remarks however relate only to the year 1767. Let us see how the account stands for 1769, being the year in which the author first appeared before the public under his favourite signature (with the single exception of Miscellaneous Letter, No. LII.). It is difficult to ascertain exactly at what places general Lee was residing during this period. Langworthy's Memoirs abound with erroneous dates, which are not material however to the present question. The only serviceable hint that can be collected from them is, that he was rambling somewhere or other abroad, and 'could never stay long in one place:' to which the editor adds, 'that we can collect nothing material relative to the adventures of his travels, as his memorandum-books only mention the names of the towns and cities through which he passed. That he was a most rapid and very active traveller is certain,' p. 8. The account furnished by Rodney confirms this statement, by telling us, 'He then proceeded to mention several circumstances to verify his being the author; and, among them, that of his going over to the Continent, and absenting himself from England most of the time in which these letters were first published in London, &c., &c. This he thought necessary, lest, by some accident, the author should become known, or, at least, suspected, which might have been his ruin, had he been known to the court of London, &c.'

It is clear, therefore, that during the whole or the greater part of 1769, general Lee was rambling over the continent; and of course had no possibility of keeping up a very close correspondence with any person at home. Yet the following table of the Letters of JUNIUS, written either under his favourite or occasional signatures, or privately to Mr Woodfall, will show that in the course of this very year, the author maintained not less than fifty-four communications with Mr Woodfall: that not a single month passed without one or more acts of intercourse: that some of them had not less than seven, and many of them not less than six, at times directed to events that had occurred only a few days antecedently: that

the two most distant communications were not more than three weeks apart, that several of them were daily, and the greater number of them not more than a week from each other.

1769.

January	21.	July	8.	October	5.
February	7.	—	15.	—	13.
—	21.	—	17.	—	17.
March	3.	—	19.	—	19.
—	18.	—	21.	—	20.
April	7.	—	29.	November	8.
—	10.	August	1.	—	12.
—	12.	—	6.	—	14.
—	20.	—	8.	—	15.
—	21.	—	14.	—	16.
—	24.	—	16.	—	25.
—	27.	—	22.	—	25.
May	6.	September	4.	—	29.
—	30.	—	7.	December	2.
June	6.	—	8.	—	12.
—	10.	—	10.	—	19.
—	12.	—	19.	—	19.
—	22.	—	25.	—	26.

There is but one conclusion that can be drawn from a perusal of this table : which is, that the writer of the letters, of which it forms a diary, could not have been travelling over the continent during the year 1769 to which it is limited, and consequently that general Lee, who was travelling over the continent, and who appears to have been chiefly in remote northern parts of it, could not be JUNIUS.

The editor has observed that it is equally obvious general Lee could not have been JUNIUS, from the different line of politics professed by the two characters ; and not merely professed but fought for to his own outlawry by the former. JUNIUS, it has been already remarked, was a warm and determined friend to Mr George Grenville ; a zealous advocate for the Stamp Act, Mr Grenville's most celebrated measure ; and a decided upholder of the power of the British parliament to legislate for America, in the same manner as for any county in England. And it was because Mr Lee was an inveterate oppugner of these doctrines, and was determined to fight against them, and even against his native country, if she insisted upon them, that he fled to the United States, took a lead in their armies, and powerfully contributed to their independence. The ensuing extracts taken from his letters contained in Mr Langworthy's Memoirs, give his own opinions in his own words ; and they may be compared with those of JUNIUS that follow the preceding extracts from Mr Burke.

'You tell me the Americans are the most merciful people on the face of the earth : I think so too ; and the strongest instance of it is, that they did not long ago hang up you, and *every advocate for the Stamp Act*.'[1]

'As to the rest who form what is called the opposition, they are so odious or contemptible, that the favourite himself is preferable to them ; such as GRENVILLE, Bedford, Newcastle, and their associates. Temple is one of the most ridiculous order of coxcombs.'[2]

'A formidable opposition is expected; but the heads are too odious to the nation in general, in my opinion, to carry their point. Such as Bedford, Sandwich, G. GRENVILLE, and, with submission, your friend Mansfield.'[3]

'We have had twenty different accounts of your arrival at Boston, which have been regularly contradicted the next morning ; but as I now find it certain that you are arrived, I shall not delay a single instant addressing myself to you. It is a duty I owe to the friendship I have long and sincerely professed for you ; a friendship to which you have the strongest claims from the first moment of our acquaintance : there is no man from whom I have received so many testimonies of esteem and affection ; there is no man whose esteem and affection could in my opinion have done me greater honour. * * * * * * * * * * I shall not trouble you with my opinion of the right of taxing America without her own consent, as I am afraid from what I have seen of your speeches, that you have already formed your creed on this article ; but I will boldly affirm, had this right been established by a thousand statutes, had America admitted it from time immemorial,

[1] Memoirs, p. 54, in a letter to W. H. Drayton, a member of congress.
[2] Ib., p. 294.
[3] Ib., p. 297.

it would be the duty of every good Englishman to exert his utmost to divest parliament of this right, as it must inevitably work the subversion of the whole empire. * * * * * * * * On these principles, I say, Sir, every good Englishman, abstracted of all regard for America, must oppose her being taxed by the British parliament; for my own part I am convinced that no argument (not totally abhorrent from the spirit of liberty, and the British constitution) can be produced in support of this right. * * * * * * * * I have now, Sir, only to entreat, that whatever measure you pursue, whether those which your real friends (myself amongst the rest) would wish, or unfortunately those which our accursed misrulers shall dictate, you will still believe me to be personally, with the greatest sincerity and affection, yours, &c., C. Lee.'[1]

It would be waste of time to pursue the claim of general Lee any further: though a multitude of similar proofs to the same effect might be offered if necessary.

Another character to whom these letters have been ascribed is Mr Wilkes; but that he is not the author of them must be clear to every one who will merely give a glance at either the public or the private letters. Wilkes could not have abused himself in the manner he is occasionally abused in the former; nor would he have said in the latter (since there was no necessity for his so saying), 'I have been out of town for three weeks'[2] at a time when he was closely confined in the King's Bench.

Of all the pretenders however to the honour of having written the letters of JUNIUS, Hugh Macaulay Boyd has been brought forward with the most confidence: yet of all of them there is not one whose claims are more easily and completely refuted. It is nevertheless necessary, from the assurance with which they have been urged, to examine them with some degree of detail.

Hugh Macaulay Boyd was an Irishman of a respectable family, who was educated for the bar, which he deserted, at an early age, for politics, and an unsettled life, that perpetually involved him in pecuniary distresses; and who is known as the author of 'The Freeholder,' which he wrote at Belfast, in the beginning of 1776; 'The Whig,' consisting of a series of revolutionary papers which he published in the *London Courant*, between November, 1779, and March, 1780; and the 'Indian Observer,' a miscellany of periodical essays published at Madras in 1793.[3] In his public conversation he was an enthusiastic admirer of the style and principles of JUNIUS; and in his political effusions he perpetually strove to imitate his manner; and, in many instances, copied his sentences verbally. On this last account the three advocates for his fame, Mr Almon who has introduced him into his Biographical Anecdotes, Mr Campbell who has published a life of him, and prefixed it to a new edition of 'Boyd's Works,' and Mr George Chalmers, who has entered largely into the subject, in his 'Appendix to the Supplemental Apology,' have strenuously contended that Boyd and JUNIUS were the same person; an opinion which, they think, is rendered decisive from the following anecdote, as given in the words of Mr. Chalmers himself.

'Boyd was in the habit of frequenting the shop of Almon, who detected him, as the writer of JUNIUS, as early as the autumn of 1769. At a meeting of the booksellers and printers, H. S. Woodfall read a letter of JUNIUS, which he had just received, because it contained a passage that related to the business of the meeting. Almon had thereby an opportunity of seeing the hand-

[1] Letter to persuade general Burgoyne to join the Americans. Memoirs, p. 323—330. See JUNIUS's opinion of general Burgoyne, Letter XXXIV.

[2] Private Letters, No. 11. This letter is dated Nov. 8, 1769. Wilkes entered the King's Bench prison April 27, 1768, and was liberated April 18, 1770.—See further the private correspondence between JUNIUS and Mr Wilkes.

[3] He is also said by his friends to have written various letters in the Public Advertiser, in the years 1769, 1770, 1771, and afterwards in 1779; the former under a questionable signature, the latter under that of Democrates or Democraticus.

writing of the manuscript, without disclosing his thoughts of the discovery. The next time that Boyd called on him in Piccadilly, Almon said to him, 'I have seen a part of one of JUNIUS'S Letters, in manuscript, which I believe is your hand-writing' *Boyd instantly changed colour;* and after a short pause, he said, 'the similitude of hand-writing is not a conclusive fact,' [proof]. Now, Almon does not deliver these intimations, as mere opinions; but, he speaks, like a witness, to facts, which he knows to be true. It is a fact, then, that Almon taxed Boyd with being the writer of JUNIUS'S Letters; that *Boyd thereupon changed colour;* and that he only turned off the imputation, by the obvious remark, that comparison of hand-writing is not decisive evidence, to prove the writer. Add to this testimony, that Boyd was, by nature, *confident*, and, by habit, *a man of the town*, a sort of character, who is not apt to blush. From the epoch of this detection, it was the practice of Almon, when he was asked who was the writer of JUNIUS, to say, that he suspected JUNIUS was a broken gentleman, without a guinea in his pocket.'

Mr Almon's own words in relating this anecdote are as follow: 'The moment I saw the hand-writing I had *a strong suspicion* that it was Mr Boyd's, whose hand-writing I knew, having *received several letters from him concerning books*.' And he afterwards adds in reference to Boyd's reply to him, 'though these words do not acknowledge the truth of the *suspicion*, they do not, however, positively deny it.'[1]

This reply, that 'the similitude of hand-writing is not a conclusive proof,' is called by Mr Chalmers an '*obvious remark*;' he might have added that the remark is just as *general* as it is *obvious*, and consequently that it admits of no *particular* deduction. It neither denies nor affirms, but leaves the question, or rather the *suspicion*, precisely where it was at first.

But, say these gentlemen, it was preceded by *a change of colour:* yet whether this change were to a flush or a paleness, or any other hue, does not appear. Let it be taken for granted, however, that they mean Macaulay Boyd *blushed*, and consequently that he exhibited, on the spur of the moment, a secret sense of shame: yet what had that man to be ashamed of, upon a detection of this kind, who openly gloried in the principles of JUNIUS, who had carried his own avowed sentiments immeasurably farther, who was for ever publicly imitating his style and copying his phrases?—this man, who was 'by nature *confident*, and by habit *a man of the town*, a sort of character who is not apt to blush,' nothing surely could have given him a higher delight than to have been suspected to have been JUNIUS himself: nothing could more agreeably have flattered his vanity. His cheeks *glowed* with a *flush* of rapture upon the supposed detection, and he could not even consent to dissipate the fond illusion by telling the whole truth. *Shame* he could not feel; and as to the passion of *fear*, it must not be mentioned for a moment; *fear* would have made him *turn pale*, but not have *blushed*.

Yet these gentlemen, in the ardour of their pursuit, prove too much for their own cause; since we at length find that, after all, there was NO SIMILITUDE of hand-writing whatever, or at least none that could answer their purpose. The letter shown by Woodfall, Almon asserted to be in the *common* hand-writing of Boyd, the hand-writing employed by him in his common and avowed transactions, and that he knew it to be Boyd's on this very account. Now it so happened that Mr Woodfall was also well acquainted, in consequence of a similar correspondence, with the hand-writing of Mr Boyd; and Woodfall, whose veracity could not be questioned, and who had far better opportunities of comparing the autographs together, denied that the letters of JUNIUS were written in the hand-writing of Boyd; adding, that Almon, from the casual glance he had obtained, had conjectured erroneously. The difficulty was felt and acknowledged; and the follow-

[1] Letter from J. Almon to L. D. Campbell, Esq., Dec. 10, 1798.

ing ingenious expedient was devised to get rid of it. It was contended that Boyd had, about the period of JUNIUS's first appearance, accustomed himself to what he used to call, and his commentators and biographers call after him, a *disguised* hand ; and that he uniformly employed this *disguised* hand in writing these letters, in order to prevent detection. And this ingenious discovery was afterwards brought forward as an evidence of Boyd's good sense and discretion, and an additional demonstration that he was the actual writer of these letters. 'It would require strong proof indeed,' says Mr Chalmers, 'to satisfy a reasonable mind, that the writer of JUNIUS's Letters would send them to the printer in his real hand-writing. It is impossible to conceive, that such a man, as Boyd, would take such successful pains to disguise his hand-writing, if he had not had some design to deceive the world.'

But this is to involve the argument in even more self-contradiction than ever. JUNIUS, whoever he was, wrote his letters, we are told, in a *disguised hand-writing*, in order to avoid detection : the letter which Almon saw was not in a *disguised hand-writing*, but in the open and *avowed hand-writing* of Boyd, with which Almon was well acquainted, and which was made use of by Boyd *in his common transactions and correspondence*. Upon their own reasoning, therefore, Boyd could *not* have been the author of the letters of JUNIUS.

But we are told, in reply to this second difficulty, that the disguised hand-writing of Boyd, though different from his common hand-writing, was nevertheless not so different, but that those who were familiar with the latter could easily trace its origin, and identify it with the former : 'I have already proved,' says Mr Campbell, 'that those who were acquainted with the *one*, would, upon inspection of the *other*, discover a strong resemblance between them.'[1] The result of course is, that Almon penetrated the deception, although from a momentary glance, while Woodfall was incapable of doing so, notwithstanding his superior opportunities. Yet surely never was such a *disguise* either attempted or conceived before. The author wishes, we are told, to dissemble his hand-writing, in order to avoid detection ; and he devises a *disguised* hand-writing that can only be traced home and identified by those who are acquainted with his common hand-writing; as if his common hand-writing could be identified by strangers as a matter of course.

A *disguised* hand-writing that should conceal him from all who were ignorant of his *real* hand-writing, and expose him to all who were acquainted with it, was a truly brilliant invention, and altogether worthy of Mr Boyd's country and pretensions. Yet, after all, we must not forget, that the hand-writing supposed to have been seen by Almon, if Boyd's at all, was not the mystical, esoteric autography, the ἱερα γραμματα of the initiated, the disguised character that could be detected by nobody but those who were acquainted with his common writing, but the common and undisguised character itself, his general and avowed hand-writing employed on purposes of ordinary business, and which, says Mr Almon, 'I knew,' in consequence of 'having received several letters from him CONCERNING BOOKS.'

But this is not the only disguise which Mr Boyd must have had recourse to, and which he is admitted to have had recourse to, if he were the real author of these celebrated epistles. He must have disguised his *usual style* even more than his *usual hand-writing*, and that by the very extraordinary assumption of an excellence which does not elsewhere appear to have belonged to him ; for it is not pretended by any of his advocates that the *general merit* of any one of his *acknowledged* productions is equal to the *general merit* of the letters of JUNIUS; but merely asserted that there is in his works a *general imitation* of the manner of the latter, together with an occasional copy of his very phrases and images, and that he has *at times* produced passages not inferior to some of the best that JUNIUS ever

[1] Life of Boyd, p. 157.

wrote. 'Of all the characters,' says Mr Chalmers himself, 'who knew Boyd personally, I have only met with *one* gentleman who is of opinion that he was able to write JUNIUS's letters.' [1] And Mr Campbell has hence conceived it necessary to offer two reasons for this palpable inferiority of style. The one is, that all the *acknowledged* productions of Boyd were written in a hurry,—*stans pede in uno*—while the letters of JUNIUS, contrary indeed to his otherwise uniform method, were possibly composed with considerable pains, and corrected by numerous revisions. The other consists of a long extract from the Rambler, in denial of the position that 'because a man has once written well, he can never under any circumstances write ill.' [2]

Now the whole of this reasoning, if *reasoning* it may be called, is founded on gratuitous assumptions alone, and may be just as fairly applied to any one else of the supposed writers of the Letters of JUNIUS as to Mr Boyd. It is admitted that he occasionally wrote passages of considerable merit; and it is admitted also, that he was an imitator of JUNIUS's style, and a frequent copyist of his very words and images. But this last fact is against Boyd, instead of being in his favour, for the style of JUNIUS is original and strictly his own, he is nowhere a copyist, and much less a copyist of himself. Boyd might characteristically write, as he has done in his Freeholder, 'long enough have our eyes ached over this *barren prospect, where no verdure of virtue quickens*,' because JUNIUS before him had written, 'I turn with pleasure from that *barren waste in which* no salutary plant takes root, *no verdure quickens;*' but JUNIUS could not write so, because his genius was far too fertile for him to be driven to the dire necessity of copying from his own metaphors, and even had he done it in the present instance, he was too manly a writer to have introduced into the simile the affected and contemptible alliteration of 'verdure of virtue.'

If Boyd therefore wrote Junius, he must have been possessed of powers of which he has never otherwise given any evidence whatever, and must not only have *disguised his hand*, but, as was well observed on a former occasion by the late Mr W. Woodfall, have *disguised his style* at the same time; and this too 'in that most extraordinary way of writing above his own reach of literary talent,' judging of his abilities from every existing and *acknowledged* document. To conceive that a man of versatile genius might disguise his accustomed style of writing by adopting some other style *on a level with his own*, is not difficult; but to conceive, under the circumstances of his *authenticated* talents, that Boyd could disguise his avowed style by assuming that of JUNIUS, is to conceive, though the difference between them was not altogether so extreme, that a sign-post painter might disguise himself under the style of sir Joshua Reynolds, or a street-fiddler under that of Cramer.

In effect Boyd appears to have been an enthusiastic admirer of the writings of JUNIUS, ambitious enough to try to imitate them, and vain enough to wish to be thought the author of them. By the deep interest he displayed in their behalf, he *once or twice* [3] induced his wife to challenge him with having written them;—when accidentally taxed by Almon with the same fact, he could not restrain his feelings, and his cheeks flushed with rapture beneath the suspicion; and when, upon a visit to Ireland in the year 1776, he wrote his address to the electors of Antrim, under the title of 'The Freeholder,' he so far succeeded by eulogizing JUNIUS, by quoting his letters, and imitating his manner, as to induce a few other persons to entertain the same idea, and, what was of no small gratification to him, to acquire the honour of being generally denominated Junius the second. Yet, say his advocates, he never dared to avow that he was JUNIUS, because JUNIUS had declared in his Dedication, 'I am the sole depositary of my own secret, and it shall perish with me.'

[1] Supplement, p. 94.
[2] Campbell's Life of Boyd, p. 31.
[3] Campbell's Life of Boyd, p. 136.

Upon the whole, however, these visits to Ireland are by no means favourable to Mr Boyd's claims; for the letters of JUNIUS published in August, 1768, under the signatures of Atticus and Lucius, were written during one of them; and from the rapidity with which they seized hold of the events of the moment, and replied to the numerous vindications and apologies of the government-party, *must have been written* (not at Belfast, but) *in London, or its immediate vicinity.*[1] While his visit to the same country in 1772 was chiefly in consequence of extreme pecuniary distress, which had oppressed him for the preceding eighteen months or two years, and had driven him from the world, through a fear of being arrested; such were the opposite circumstances of JUNIUS, that the latter was refusing, at this very moment, the moiety of the profits resulting from the sale of his own edition of his letters, repeatedly pressed upon him, and to which he was fairly entitled; and offering, from a competent purse, a pecuniary indemnification to Woodfall on account of his prosecution by the crown.

There is, however, a note inserted in JUNIUS's own edition of these letters,[2] in relation to lord Irnham, and his baseness to a young and confidential friend, that has been conceived by these same gentlemen as almost decisive in favour of Mr Boyd's pretensions; the young man here alluded to, having been, as it should seem, one of Mrs Boyd's guardians; the two families to which the fact relates, from the peculiar motives they possessed for keeping it a secret, not being supposed to have divulged it to any one, and Mrs Boyd herself having only communicated it in strict confidence to her husband. Yet the reader of the ensuing Private Letters, after witnessing the rapidity with which JUNIUS became informed of Mr Garrick's intimation to the king, and Swinney's visit to lord G. Sackville, will have no difficulty in conceiving that JUNIUS, though totally unacquainted with Mr Boyd or his family, might have easily acquired a knowledge of secrets far more securely locked up than the present. In reality, from Mr Campbell's own relation of this anecdote, it seems rather a matter of wonder that it should have been a secret to any one, than that it should have been known to JUNIUS at the time of his narrating it; for it appears that at least six persons were privy to the transaction almost from its first existence: the debauchee and

[1] Campbell in his Life of Boyd, p. 22, relates the following anecdote of that gentleman, which occurred during the before-mentioned visit to Ireland in the summer of 1768. 'One evening while Mr Flood sat at his own table, after dinner, entertaining a large company, of which Mr Boyd was one, he received an anonymous note, enclosing a letter on the state of parties, signed *Sindercombe*. The note contained a request that Mr Flood would peruse the enclosed letter, and that if it met his approbation he would get it published, which he accordingly did in a paper of the following morning, and the letter produced a very strong sensation on the public mind.' Mr Campbell proceeds to state that 'every endeavour was made, without effect, to discover the author: that Mrs Boyd always thought that Sindercombe was her husband's production, and that many years afterwards she was satisfied that her conjecture was founded in fact.' If Mrs Boyd were correct in her conjecture, as to her husband being the author of the letter under this signature, it would of itself all but indisputably prove that he was not the writer of the letters of JUNIUS; as on Dec. 26, 1772, nearly twelve months after JUNIUS had ceased to publish under this signature, and many months after he had declined to write under any other, Sindercombe addresses the following card to him:

'*For the Public Advertiser.*

A CARD. *Dec.* 26, 1772.

'SINDERCOMBE laments that JUNIUS is silent at a season that demands his utmost eloquence. Sindercombe has long waited with impatience for the completion of that promise, in which every friend to liberty is so deeply interested. JUNIUS has long since pledged himself that the corrupt administration of lord Townshend in Ireland "shall not be lost to the public." He now calls upon JUNIUS to fulfil that promise.'

That is, Boyd, the writer of JUNIUS as Campbell contends, calls upon himself to fulfil a promise which he had not the smallest intention to perform, as may be seen by reference to Private Letter, No. 63. Sindercombe is a signature of some peculiarity, and never appeared in the Public Advertiser during the period in which the writer of the letters of JUNIUS was a correspondent in that paper, which the reader will perceive was from April 28, 1767, to May 12, 1772.

[2] See p. 324 of this work.

the prostitute, the injured bridegroom and his two brothers, and Mrs Boyd as a part of the bridegroom's family.[1]—Yet, from these three slender facts,—Boyd's imitation of the style of JUNIUS, Almon's suspicion concerning his hand-writing, and the anecdote of lord Irnham, in conjunction with a few others of a nature merely collateral, and which, when separated from them, prove nothing whatever, these gentlemen undertake to 'regard it as a moral certainty that Macaulay Boyd did write the Letters of JUNIUS.'[2]

The late Mr Woodfall, indeed, made no scruple of denying the assertion peremptorily, admitting at the same time, that he was not absolutely certain who did write them. But this testimony, it seems, though from the printer of the letters themselves, and who, moreover, through the whole period of their publication, was in habits of confidential correspondence with the author, is of no consequence. Let us see by what curious process of logic this testimony is attempted to be invalidated: the reader will meet with it in Mr Chalmers's pamphlet, who thus observes and reasons:

'A few weeks after the publication of Almon's anecdotes, in 1797, Mr H. S. Woodfall, meeting the anecdote writer at Longman's shop, complimented him on his entertaining book; but said that he was "mistaken, in supposing Mr Boyd to have been the author of JUNIUS's Letters;" and

[1] In point of fact, the anecdote here referred to was publicly known and propagated not less than three years earlier than the first edition of the Letters of JUNIUS, in which it is introduced as a note. For it appears in a letter in the Public Advertiser of April 7, 1769, with the signature of *Recens*, written by this same JUNIUS; from which the note in question is but a mere transcript, and given without altering a word. And yet Mr Almon, in the preface to his own edition of JUNIUS's Letters, in which he has taken care to bestow abundant abuse on the printer of the Public Advertiser and his brother, because they did not chuse to unfold to him all they were acquainted with on this subject, has not scrupled to assert with his usual confidence, that 'this note *certainly* was not written till after JUNIUS, having finally ceased to write under that signature, collected his letters and published them together, with many additions; which was in the course of 1772.' Pref. p. lvi. This, however, is only one specimen of Mr Almon's general accuracy in the prosecution of his favourite topic: yet it is useless to add more: the death of the writer has put him beyond all power of reply; nor should even this have been noticed, but to show how absurd were the pretensions of a man, so vain, so precipitate, and so incautious, to the character of an oracle upon this or any other subject; and how insolent it was in him to charge others with ignorance, incapacity, and falsehood, who were possessed of better sources of information, and evinced a more punctilious adherence to truth. The letter itself is as follows: and it is copied for a comparison with the note.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

7 *April*, 1769.

MR WOODFALL,

THERE is a certain family in this country, on which nature seems to have entailed an hereditary baseness of disposition. As far as their history has been known, the son has regularly improved upon the vices of his father, and has taken care to transmit them pure and undiminished into the bosom of his successor. In the senate, their abilities have confined them to those humble, sordid services, in which the scavengers of the ministry are usually employed. But in the memoirs of private treachery, they stand first and unrivalled. The following story will serve to illustrate the character of this respectable family, and to convince the world that the present possessor has as clear a title to the infamy of his ancestors, as he has to their estate. It deserves to be recorded for the curiosity of the fact, and should be given to the public as a warning to every honest member of society.

The present lord Irnham, who is now in the decline of life, lately cultivated the acquaintance of a younger brother of a family, with which he had lived in some degree of intimacy and friendship. The young man had long been the dupe of a most unhappy attachment to a common prostitute. His friends and relations foresaw the consequences of this connexion, and did every thing that depended upon them to save him from ruin. But he had a friend in lord Irnham, whose advice rendered all their endeavours ineffectual. This hoary letcher, not contented with the enjoyment of his friend's mistress, was base enough to take advantage of the passions and folly of a young man, and persuaded him to marry her. He descended even to perform the office of father to the prostitute. He gave her to his friend, who was on the point of leaving the kingdom, and the next night lay with her himself.

Whether the depravity of the human heart can produce any thing more base and detestable than this fact, must be left undetermined, until the son shall arrive at his father's age and experience. RECENS.

[2] See Chalmers's Supplement, p. 94. Campbell's Life, 173, 277.

then added, with an *emphasis*, that "Mr Boyd was not the author of them." To these emphatical observations Mr Almon replied, that "he had no doubt of Mr Boyd's being the author of those letters; that as you, Mr H. S. Woodfall, never knew who was the author, you cannot undertake to say who was *not* the author of those letters." Mr Woodfall departed without making any reply. What reply could he make? It is absurd in any man, who does not know the true author of JUNIUS'S Letters, to say, that Macaulay Boyd was *not* the writer of them, in opposition to affirmative proofs. Yet, Mr H. S. Woodfall afterwards told Mr L. D. Campbell, that "Mr Boyd was *not* the writer of JUNIUS'S letters," without pretending, however, that he knew the true author.'

Now every one who knew Mr H. S. Woodfall, knew him also to be a man of strict, unimpeachable veracity; a man who would not have ventured to speak decisively upon this or any other point, if he had not had very sufficient grounds. We are asked what reply he could have made? and are told that his negative assertion was *absurd* against the *affirmative proofs* offered. These *affirmative proofs* have been already sufficiently noticed; our next business then is to state what reply Mr Woodfall could have made if he had chosen, and perhaps would have made if he had been differently addressed, of the *absurdity* of which the reader shall determine when he has perused it: it shall be founded upon *negative arguments* alone. Woodfall well knew the hand-writings of both JUNIUS and Boyd, and was in possession of many copies of both; and knowing them, he well knew they were different. He well knew that JUNIUS was a man directly implicated in the circle of the court, and immediately privy to its most secret intrigues: and that Boyd was very differently situated, and that whatever information he collected was by circuitous channels alone. JUNIUS he knew to be a man of affluence, considerably superior to his own wants, refusing remunerations to which he was entitled, and offering reimbursements to those who suffered on his account;—Boyd to be labouring under great pecuniary difficulties, and ready to accept whatever was offered him; or, in the language of Mr Almon, 'a broken gentleman without a guinea in his pocket.' JUNIUS he knew to be a man of considerably more than his own age, who from a long and matured experience of the world, was entitled to read him lessons of moral and prudential philosophy; Boyd to be at the same time a very young man,[1] who had not even reached his majority, totally without plan, and almost without experience of any kind, who in the prospect of divulging himself to Woodfall, could not possibly have written to him 'after LONG *experience of the world*, I affirm before God I never knew a rogue who was not unhappy.'[2] Boyd he knew to be an imitator and copyist of JUNIUS; JUNIUS to be no imitator or copyist of any man, and least of all of himself. JUNIUS he knew to be a decided mixt-monarchist, who opposed the ministry upon constitutional principles; Boyd to be a wild, random republican, who opposed them upon revolutionary views: JUNIUS to be a writer who could not have adopted the signature of Democrates or Democraticus; Boyd a writer who could, and who, we are told, did do so, in perfect uniformity with his political creed. Woodfall, it is true, did not pretend to know JUNIUS personally, but from his hand-writing, his style of composition, age, politics, rank in life, and pecuniary affluence, he was perfectly assured that JUNIUS COULD NOT BE BOYD.

It was possible therefore for Mr H. S. Woodfall to have made *some reply* if he had chosen; and it was possible also for him to have said, *without absurdity*, and in opposition to the *affirmative proofs* of his biographers, that Macaulay Boyd was *not* the writer of JUNIUS'S Letters.

[1] Boyd was born in October, 1746, and JUNIUS'S first letter, under the signature of Poplicola, appeared in the Public Advertiser April 28, 1767, when Boyd had not, as yet, attained his 21st year.

[2] Private Letter, No. 44.

A thousand other proofs, equally cogent and insurmountable, might be advanced, if necessary, against the pretensions of Mr Boyd. Among these let the reader compare the letter of JUNIUS, subscribed Vindex, March 6, 1771, Miscellaneous Letters, No. XCI., in which he publicly ridicules Mr Laughlin Maclean, upon his defence of the ministry, in regard to the Falkland Islands. Mr Laughlin Maclean is well known to have been the best and steadiest friend that Boyd ever possessed; and a friend who adhered to him uninterruptedly from 1764 to 1778,[1] in which year Maclean commenced a voyage to India upon official business relating to the Nabob of Arcot. It was Maclean who, according to his biographer, furnished Boyd with the greater part of the secret transactions of our own government, and the intelligence he made use of in relation to the oriental concerns of the Nabob Mahomed Ali Khaân; who largely and liberally assisted him with pecuniary aid while at home, and 'faithfully promised him he would, upon his return from India, assist in clearing him from all his pecuniary difficulties.' The proofs are unquestionable, that the above letter was written by JUNIUS; and that he wrote it also in contempt and ridicule of Laughlin Maclean, who instead of being, as Mr Campbell affirms, an opponent of the ministry at this time, was an avowed defendant of them.——Will Mr Boyd's biographers and advocates, after this anecdote, so far vilify his memory as to contend that it was written by himself?

Of all the reputed authors of these celebrated addresses, Dunning, lord Ashburton, offers the largest aggregate of claim in his favour; and, but for a few facts which seem decisive against him, might fairly be admitted to have been the real JUNIUS. His age and rank in life, his talents and learning (though perhaps not *classical* learning), his brilliant wit, and sarcastic habit, his common residence, during the period in question, his political principles, attachments, and antipathies conspire in marking him as the man: but unfortunately for such a conclusion, Dunning was solicitor-general at the time these letters first appeared, and for more than a twelvemonth afterwards: and JUNIUS himself has openly and solemnly affirmed, 'I am *no lawyer by profession;* nor do I pretend to be more deeply read than every English gentleman should be in the laws of his country.'[2] Dunning was a man of high unblemished honour as well as of high independent principles; it cannot therefore be supposed that he would have vilified the king, while one of the king's confidential servants and counsellors: nor would he, as a barrister, have written to Woodfall in the course of a confidential correspondence, '*I am advised* that no jury will find' a bill.[3]

Another person who has had a claim advanced in his favour upon the same subject, is the late celebrated Henry Flood, M. P. of Ireland. Now, without wandering at large for proofs that Mr Flood could not have been the writer of the Letters of JUNIUS, it is only sufficient to call the reader's attention to the two following facts, which are decisive of the subject in question:

First, Mr Flood was in Ireland throughout a great part of the summer of 1768, and at

[1] See Mr Campbell's Life of Boyd, p. 117, 125, 209, 210. In p. 141, he gives us the following account of Mr Boyd, in support of his assertion that he was the writer of these letters. 'From this time [Nov. 27, 1771,] till the 20th of January following, Mr Boyd's whole time was occupied in examining the law books and state trials above mentioned, and in writing with his usual secrecy for the Public Advertiser: JUNIUS's elaborate letter to lord Mansfield, in which he strove hard to make good his charge against him, is dated the 21st of January, 1772: about three weeks after the publication of this letter Mr Boyd went to Ireland; and JUNIUS ceased to write under that signature for the Public Advertiser.' The reader will perceive by a reference to Private Letters, Nos. 40 and 48, that the letter to lord Mansfield was finished some considerable time before it made its appearance in the Public Advertiser; and by comparing the dates of the Private Letters subsequent to that publication, up to March 5, 1772, of which there are no less than seven, he will be satisfied that it was totally impossible for the writer of the Letters of JUNIUS to have been in Ireland at the period described by Mr Campbell.

[2] Preface, p. 115. [3] Private Letter, No. 18.

a time when JUNIUS, whoever he may have been, was perpetually corresponding with the printer of the Public Advertiser, and with a rapidity which could not have been maintained, not only in Ireland, but even at a hundred, and occasionally at less than fifty, miles distance from the British metropolis. This fact may be collected, among other authorities, from the following passage in Mr Campbell's Life of Boyd, and is just as adverse to the pretensions of the one as of the other.

'In the summer of 1768 Boyd went to Ireland for a few months, on some private business. During his stay in Dublin he was constantly in the company of Mr Flood.'

Next, by turning to the Private Letter of JUNIUS, No. 44, of the date of Nov. 27, 1771, the reader will find the following paragraph: 'I *fear* your friend Jerry Dyson *will* lose his Irish pension.—Say received.' The mark '*received*' occurs accordingly in the Public Advertiser of the day ensuing. Now by turning to the Irish debates of this period, we shall find that the question concerning this pension was actually determined by the Irish parliament just two days before the date of the above-mentioned Private Letter, and that Mr Flood was one of the principal opponents of the grant, a circumstance which precludes the possibility of believing him to have written the letter in question. We shall extract the article from whence this information is derived, from the Public Advertiser of Dec. 18, 1771.

'Authentic copy of the conclusion of the speech which Mr Flood made in the Irish House of Commons, on Monday the 25th of November last, when the debate on the pension of Jeremiah Dyson, Esq., came on before the committee of supplies:

'—— But of all the burthens which it has pleased government to lay upon our devoted shoulders, that which is the subject of the present debate is the most grievous and intolerable.—Who does not know Jeremiah Dyson, Esq.?—We know little of him indeed, otherwise than by his name in our pension list; but there are others who know him by his actions. This is he who is endued with those happy talents, that he has served every administration, and served every one with equal success—a civil, pliable, good-natured gentleman, who will do what you will, and say what you please—for payment.

'Here Mr Flood was interrupted, and called to order by Mr M——, who urged that more respect ought to be paid to Mr Dyson as one of his Majesty's officers, and, as such, one whom his Majesty was graciously pleased to repose confidence in. However, Mr Flood went on.

'As to the royal confidence reposed in Mr Dyson, his gracious Majesty (whom God long preserve) has been graciously lavish of it, not only to Mr Dyson, but to the friends of Mr Dyson; and I think the choice was good: The royal secrets will, I dare say, be very secure in their breasts, not only for the love they bear to his gracious Majesty, but for the love they bear to themselves. In the present case, however, we do not want to be informed of that part of Mr Dyson's character—we know enough of him—everybody knows enough of him—ask the British treasury—the British council—ask any Englishman who he is, what he is—they can all tell you, for the gentleman is well known.—But what have we to do with him? He never served Ireland, nor the friends of Ireland. And if this distressed kingdom was never benefited by his counsel, interest, or service, I see no good cause why this kingdom should reward him. Let the honourable members of this House consider this, and give their voices accordingly.—For God's sake let every man consult his conscience: If Jeremiah Dyson, Esq., shall be found to deserve this pension, let it be continued; if not, let it be lopped off our revenue as burthensome and unnecessary.'

Let us proceed to the pretensions that have been offered on the part of lord George Sackville as the real JUNIUS. The evidence is somewhat indecisive even to the present hour. Sir William Draper divided

his suspicions between this nobleman and Mr Burke, and upon the personal and unequivocal denial of the latter, he transferred them entirely to the former: and that sir William was not the only person who suspected his Lordship even from the first, is evident from the Private Letter of JUNIUS, which asserts that Swinney had actually called upon lord Sackville and taxed him with being JUNIUS, to his face.[1] This letter is, in fact, one of the most curious of the whole collection: if written by lord George Sackville it settles the point at once; and, if not written by him, presupposes an acquaintance with his Lordship's family, his sentiments, and his connexions, so intimate as to excite no small degree of astonishment. JUNIUS was informed of Swinney's having called upon lord George Sackville, very shortly after his call, and he knew that *before this time* he had never spoken to him in his life. It is certain then, that lord George Sackville was early and generally suspected, that JUNIUS knew him to be suspected without asserting, as in the case of the author of 'The Whig,'[2] &c., that he was suspected wrongfully; and that this nobleman, if not JUNIUS himself, must have been in habits of close and intimate friendship with him. The talents of lord George Sackville were well known and admitted, and his political principles led him to the same side of the question that was so warmly espoused by JUNIUS. It is said, however, that on one occasion his Lordship privately observed to a friend of his, 'I should be proud to be capable of writing as JUNIUS has done; but there are many passages in his letters I should be very sorry to have written.'[3] Such a declaration, however, is too general to be in any way conclusive: even JUNIUS himself might, in a subsequent period, have regretted that he had written some of the passages that occur in his letters. In the case of his letter to Junia, we know he did from his own avowal. It is nevertheless peculiarly hostile to the opinion in favour of lord George Sackville, that JUNIUS should roundly have accused him of want of courage, as he has done in Miscell. Letters, No. VII. And if we examine into his Lordship's style, and even into his own opinion of his own style, we shall meet with facts not much less hostile. Of his own composition he thus speaks in a letter published shortly after his return from Germany, drawn up in justification of his conduct at the battle of Minden:—'I had rather upon this occasion submit myself to all the inconveniences that may arise from *the want of style* than borrow assistance *from the pen of others*, as I can have no hopes of establishing my character, but from the force of truth.'

And that his Lordship has not in this passage spoken with an undue degree of self-modesty, will, we think, be evident from the following copy of a letter addressed by himself, upon the preceding subject, to his friend colonel Fitzroy.

Copy of lord G. Sackville's letter to col. Fitzroy.

DEAR SIR, *Minden, Aug.* 2, 1759.

The orders of yesterday, you may believe, affect me very sensibly. His Serene Highness has been pleased to judge, condemn, and censure me, without hearing me, in the most cruel and unprecedented manner; as he never asked me a single question in explanation of any thing he might disapprove: and as he must have formed his opinion upon the report of others, it was still harder he would not give me an opportunity of first speaking to him upon the subject: but you know, even in more trifling matters, that hard blows are sometimes unexpectedly given. If anybody has a right to say that I hesitated in obeying orders, it is you. I will relate what I know of that, and then appeal to you for the truth of it.

When you brought me orders to advance with the British cavalry, I was near the village of Halen, I think it is called, I mean that place which the Saxons burnt. I was there advanced by M. Malhorte's

[1] Private Letter, No. 5. [2] Id., No. 23.
[3] See Chalmers's Appendix to the Supplemental Apology, p. 7.

order, and no further, when you came to me. Ligonier followed almost instantly; he said, the whole cavalry was to advance. I was puzzled what to do, and begged the favour of you to carry me to the Duke, that I might ask an explanation of his orders: —But that no time might be lost, I sent Smith with orders to bring on the British cavalry, as they had a wood before they could advance, as you directed; and I reckoned, by the time I had seen his Serene Highness, I should find them forming beyond the wood.—This proceeding of mine might possibly be wrong; but I am sure the service could not suffer, as no delay was occasioned by it.—The Duke then ordered me to leave some squadrons upon the right, which I did, and to advance the rest to support the infantry. This I declare I did, as fast as I imagined it was right in cavalry to march in line.—I once halted by lord Granby to compleat my forming the whole. Upon his advancing the left before the right I again sent to him to stop:—He said, as the Prince had ordered us to advance, he thought we should move forward.—I then let him proceed at the rate he liked, and kept my right up with him as regularly as I could, 'till we got to the rear of the infantry and our batteries.—We both halted together, and afterwards received no order, 'till that which was brought by col. Web and the duke of Richmond, to extend in one line to the morass.—It was accordingly executed; and then, instead of finding the enemy's cavalry to charge, as I expected, the battle was declared to be gained, and we were told to dismount our men.

This, I protest, is all I know of the matter, and I was never so surprized, as when I heard the Prince was dissatisfied that the cavalry did not move sooner up to the infantry.—It is not my business to ask, what the disposition originally was, or to find fault with any thing.—All I insist upon is, that I obeyed the orders I received, as punctually as I was able; and if it was to do over again, I do not think I would have executed them ten minutes sooner than I did, now I know the ground, and what was expected; but, indeed, we were above an hour too late, if it was the Duke's intention to have made the cavalry pass before our infantry and artillery, and charge the enemy's line.—I cannot think that was his meaning, as all the orders ran to sustain our infantry:—and it appears, that both lord Granby and I understood we were at our posts, by our halting, when we got to the rear of our foot.

I hope I have stated impartially the part of this transaction that comes within your knowledge.—If I have, I must beg you would declare it, so as I may make use of it in your absence; for it is impossible to sit silent under such reproach, when I am conscious of having done the best that was in my power.—For God's sake, let me see you, before you go to England.

I am, my dear sir,
Your faithful humble servant,
GEORGE SACKVILLE.

Upon the claim then of lord George Sackville, to the honour of having written the Letters of JUNIUS, the above are the chief facts which the editor is able to lay before his readers: he has laid them accordingly, and shall conclude with leaving them to the exercise of their own judgment.

PRIVATE LETTERS

OF

JUNIUS.

TO MR WOODFALL.

No. 1.

SIR, *April* 20, 1769.

I AM preparing a paper, which you shall have on or before Saturday night. Advertise it for Monday.[1] JUNIUS on Monday.

C.

If any enquiry is made about these papers, I shall rely on your giving me a hint.

[1] Letter XI.

[2] This note was addressed to Mr Woodfall, with a desire that it should 'be opened by himself only.'

[3] The letter is printed in the Miscellaneous Collection, No. LV., and the great question alluded to was upon the Middlesex petition against the seating of colonel Luttrell for that county. The debate took place on Monday, the 8th of May, in the House of Commons, and continued from half past one o'clock in the afternoon, till half-past four the next morning, when, upon a division, there appeared for the petition 152, against it 221. The speakers on this occasion, in favour of the petition, were Mr Dowdeswell, lord J. Cavendish, Mr Wedderburne, Mr Grenville, Mr Cornwall, Mr Burke, Mr Seymour, and sir George Saville: those against it, Mr Stanley, sir G. Osborne, Dr Blackstone, Mr W. Ellis, Mr Thurlow, Mr C. J. Fox, Mr Moreton, and sir F. Norton.

In consequence of the rejection of the petition to the House of Commons, the following was soon afterwards presented to the King, which we insert, as we shall also, in their due places, those of London and Westminster, upon similar subjects, with a view of giving some idea of the general politics of the day, and the warmth of the respective controversies that distinguished it.

No. 2.

SIR, *Friday, May 5th*, 1769.[2]

IT is essentially necessary that the inclosed should be published to-morrow, as the great question comes on on Monday, and lord Granby is already staggered.[3]

If you should receive any answer to it,

'TO THE KING'S MOST EXCELLENT MAJESTY.

'The humble petition of the Freeholders of the County of Middlesex.

'*Most gracious Sovereign*,

'We, your Majesty's dutiful and loyal subjects, the Freeholders of the County of Middlesex, beg leave with all affectionate submission and humility, to throw ourselves at your royal feet, and humbly to implore your paternal attention to those grievances of which this county and the whole nation complain, and those fearful apprehensions with which the whole British empire is most justly alarmed.

'With great grief and sorrow, we have long beheld the endeavours of certain evil-minded persons, who attempt to infuse into your royal mind, notions and opinions of the most dangerous and pernicious tendency, and who promote and counsel such measures as cannot fail to destroy that harmony and confidence which should ever subsist between a just and virtuous Prince, and a free and loyal people.

'For this disaffected purpose they have introduced into every part of the administration of our happy, legal constitution, a certain unlimited and indefinite discretionary power; to prevent which is the sole aim of all our laws, and was the sole cause of all those disturbances and revolutions which formerly distracted this unhappy country; for our ancestors, by their own fatal

you will oblige me much by not publishing it, till after Monday.

C.

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experience, well knew that in a state where discretion begins, law, liberty, and safety end. Under the pretence of this discretion, or, as it was formerly, and has been lately called—Law of state—we have seen

'English subjects, and even a member of the British Legislature, arrested by virtue of a general warrant issued by a secretary of state, contrary to the law of the land.—

'Their houses rifled and plundered, their papers seized, and used as evidence upon trial.—

'Their bodies committed to close imprisonment.—

'The Habeas Corpus eluded.—

'Trial by jury discountenanced, and the first law officer of the crown publicly insinuating that juries are not to be trusted.—

'Printers punished by the ministry in the supreme court without a trial by their equals, without any trial at all.—

'The remedy of the law for false imprisonment debarred and defeated.—

'The plaintiff and his attorney, for their appeal to the law of the land, punished by expenses and imprisonment, and made, by forced engagements, to desist from their legal claim.—

'A writing determined to be a libel by a court where it was not cognizable in the first instance; contrary to law, because all appeal is thereby cut off, and inferior courts and juries influenced by such predetermination.—

'A person condemned in the said courts as the author of the supposed libel unheard, without defence or trial.—

'Unjust treatment of petitions, by selecting only such parts as might be wrested to criminate the petitioner, and refusing to hear those which might procure him redress.—

'The thanks of one branch of the Legislature proposed by a minister to be given to an acknowledged offender for his offence, with the declared intention of screening him from the law.—

'Attachments wrested from their original intent of removing obstructions to the proceedings of law, to punish by sentence of arbitrary fine and imprisonment, without trial or appeal, supposed offences committed out of court.—

'Perpetual imprisonment of an Englishman without trial, conviction, or sentence, by the same mode of attachment wherein the same person is at once party, accuser, judge, and jury.—

'Instead of the ancient and legal civil police, the military introduced at every opportunity, unnecessarily and unlawfully patrolling the streets to the alarm and terror of the inhabitants.—

'The lives of many of your Majesty's innocent subjects destroyed by military execution.—

'Such military execution solemnly adjudged to be legal.—

'Murder abetted, encouraged, and rewarded.—

'The civil magistracy rendered contemptible by the appointment of improper and incapable persons.—

'The civil magistrates tampered with by administration, and neglecting and refusing to discharge their duty.—

'Mobs and riots hired and raised by the ministry, in order to justify and recommend their own illegal proceedings, and to prejudice your Majesty's mind by false insinuations against the loyalty of your Majesty's subjects.—

'The freedom of election violated by corrupt and undue influence, by unpunished violence and murder.—

'The just verdicts of juries, and the opinion of the judges, over-ruled by false representations to your Majesty: and the determinations of the law set aside, by new, unprecedented, and dangerous means; thereby leaving the guilty without restraint, and the injured without redress, and the lives of your Majesty's subjects at the mercy of every ruffian protected by administration.—

'Obsolete and vexatious claims of the crown set on foot for partial and election purposes.—

'Partial attacks on the liberty of the press: the most daring and pernicious libels against the constitution and against the liberty of the subject, being allowed to pass unnoticed, whilst the slightest libel against a minister is punished with the utmost rigour.—

'Wicked attempts to increase and establish a standing army, by endeavouring to vest in the crown an unlimited power over the militia, which, should they succeed, must, sooner or later, subvert the constitution, by augmenting the power of administration in proportion to their delinquency.—

'Repeated endeavours to diminish the importance of members of parliament individually, in order to render them more dependent on administration collectively. Even threats having been employed by ministers to suppress the freedom of debate; and the wrath of parliament denounced against measures authorized by the law of the land.—

'Resolutions of one branch of the Legislature, set up as the law of the land, being a direct usurpation of the rights of the two other branches, and therefore a manifest infringement of the constitution.—

'Public money shamefully squandered and unaccounted for, and all enquiry into the cause of arrears into the civil list prevented by the ministry.—

'Enquiry into a pay-master's public accounts stopped in the Exchequer, though the sums accounted for by that pay-master amount to above forty millions sterling.—

'Public loans perverted to private ministerial purposes.—

'Prostitution of public honours and rewards to

No. 3.

SIR, *Saturday, July 15th*, 1769.

I HAVE received the favour of your note. From the contents of it, I

Fac Similes of the hand writing of Junius in his private Letters to Mr H. S. Woodfall.

No. 3.

Saturday

Sir. I have rec.d the favor of your note. from the Contents of it, I imagine you may have something to communicate to me. If that be the Case, I beg you will be particular, & also that you will tell me candidly whether you know or suspect who I am. direct a Letter to Mr William Riddleton to be left at the bar of the new exchange Coffeehouse on Monday. as early as you think proper.

I am, Sir, Your most obedient & most humble Servant

C

No. 2.

private

Sir The last letter you printed was idle & improper, & I assure you printed against my own opinion. The Truth is, there are people about me whom I am not wd wish not to contradict, & who had rather see Juniuses in the papers, than not at all. I wish it cd be recalled. Suppose you were to say -- We have some reason to suspect that the last Letter signed Junius in this paper was not ever so improperly written by the real Junius. tho the observation escapes us at the time, or if you can hit off any thing Yourself more plausible, You will much oblige me, but without a positive Assertion. Don't let it be the same day with the inclosed. — begging Your pardon for this trouble, I remain Your friend & humble Servant C

Sir.

No 27.

I have recd Yr mysterious epistle. I dare say a Letter may safely be left at the same place; but You may change the direction to Mr John Pretty. You need not advertise it

yours

C

No. 2. friday.

Sir

It is essentially necessary that the inclosed should be published to morrow, as the great Question comes on on Monday. & Lord Granby is already staggered. if You shd receive any answer to it You will oblige me much by not publishing it till after Monday.

C

imagine you may have something to communicate to me. If that be the case, I beg you will be particular; and also that you will tell me candidly whether you know or suspect who I am. Direct a letter to Mr William Middleton[1] to be left at the bar of the New Exchange Coffee-house on Monday, as early as you think proper.

I am, Sir, your most obedient, and most humble servant,

C.

No. 4.

(Private)

SIR, *July 17th*, 1769.

MR Newberry having thought proper to reprint my Letters,[2] I wish at least he had done it correctly. You will oblige me much by giving him the following hint[3] to-morrow. The inclosed[4] when you think proper.

'Mr Newberry having thought proper to reprint JUNIUS's Letters, might at least have corrected the errata, as we did constantly.

Page 1, Line 13,	for *national*	read	*rational.*
— 3, — 4,	— *was*	—	*were.*
— 5, — 15,	— *indisputable*	—	*indispensable.*
Letter 7, — 4,	— *in all mazes*	—	*in all the mazes.*
— 15, — 24,	— *rightest*	—	*brightest.*
— 48, — 2,	— *indiscreet*	—	*indirect.'*

I did not expect more than the life of a newspaper, but if this man will keep me alive, let me live without being offensive.

Speciosa quæro pascere tigres.

No. 5.

SIR, *July 21st*, 1769, *Friday Night.*

I CAN have no manner of objection to your reprinting the Letters, if you

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men who can neither plead public virtue nor services.—

'Irreligion and immorality so eminently discountenanced by your Majesty's royal example, encouraged by administration, both by example and precept.—

'The same discretion has been extended by the same evil counsellors to your Majesty's dominions in America, and has produced to our suffering fellow-subjects in that part of the world, grievances and apprehensions similar to those which we complain of at home.—

'*Most gracious Sovereign*,

'Such are the grievances and apprehensions which have long discontented and disturbed the greatest and best part of your Majesty's loyal subjects. Unwilling however to interrupt your royal repose, though ready to lay down our lives and fortunes for your Majesty's service, and for the constitution as by law established, we have waited patiently expecting a constitutional remedy by the means of our own representatives, but our legal and free choice having been repeatedly rejected, and the right of election now finally taken from us by the unprecedented seating of a candidate who was never chosen by the county, and who, even to become a candidate, was obliged fraudulently to vacate his seat in parliament, under the pretence of an insignificant place, invited thereto by the prior declaration of a minister, that whoever opposed our choice, though but with four votes, should be declared member for the county, we see ourselves, by this last act, deprived even of the franchises of Englishmen, reduced to the most abject state of slavery, and left without hopes or means of redress but from your Majesty or God.

'Deign then, most gracious Sovereign, to listen to the prayer of the most faithful of your Majesty's subjects; and to banish from your royal favour, trust, and confidence, for ever, those evil and pernicious counsellors, who have endeavoured to alienate the affection of your Majesty's most sincere and dutiful subjects, and whose suggestions tend to deprive your people of their dearest and most essential rights, and who have traitorously dared to depart from the spirit and letter of those laws which have secured the crown of these realms to the House of Brunswick, in which we make our most earnest prayers to God that it may continue untarnished to the latest posterity.'

Signed by 1565 Freeholders.

[1] Mr William Middleton's Letter is sent as desired.' Answer to correspondents in the P. A. of July 20th, 1769.

[2] Newberry had thought proper at this time to publish a spurious and surreptitious edition of the first fifteen Letters, as printed in the author's edition, under the title of 'The Political Contest;' and it was these unauthorised publications that gave the first idea of publishing a genuine edition of the whole.

[3] This request does not appear to have been complied with; as the following answer to correspondents was inserted in the Public Advertiser of the 18th of July:—'Reasons why the hint was not printed are sent to the last mentioned Coffee-house in the Strand, from whence our *old* correspondent will be pleased to send for them.'

[4] Letter XVI.

think it will answer, which I believe it might, before Newberry appeared. If you determine to do it, give me a hint, and I will send you more errata (indeed they are innumerable) and perhaps a Preface. I really doubt whether I shall write any more under this signature.[1] I am weary of attacking a set of brutes, whose writings are too dull to furnish me even with the materials of contention, and whose measures are too gross and direct to be the subject of argument, or to require illustration.

That Swinney[2] is a wretched but a dangerous fool. He had the impudence to go to lord G. Sackville, whom he had never spoken to, and to ask him, whether or no he was the author of JUNIUS—take care of him.

Whenever you have any thing to communicate to me, let the hint be thus, C *at the usual place*, and so direct to Mr John Fretley, at the same Coffee-house, where it is absolutely impossible I should be known.

I did *not* mean the Latin to be printed.

I wish lord Holland may acquit himself with honour.[3] If his cause be good, he should at once have published that account, to which he refers in his letter to the mayor.[4]

Pray tell me whether George Onslow means to keep his word with you, about prosecuting.[5] *Yes* or *No* will be sufficient. Your Lycurgus[6] is a Mr Kent, a young man of good parts upon town. And so I wish you a good night.

Yours,

C.

[1] See Dedication, p. 112.

[2] A correspondent of the Printer's.

[3] The Editor has already observed, in the Preliminary Essay, that JUNIUS appears to have uniformly entertained a good opinion of, or at least a partiality for, lord Holland. The remark is not new; it was noticed long ago by several of his opponents. Thus, in a letter subscribed by our author, Anti-Fox, and inserted in the Public Advertiser of October 16th, 1771, he thus speaks of him: 'I know nothing of JUNIUS; but I see plainly that he has designedly spared lord Holland and his family.' See Miscell. Lett. C.

[4] See note A below.

[5] See note B at the conclusion of note A.

[6] Lycurgus was a frequent writer in the Public Advertiser during the spring and summer of 1769; and opposed the ministry, but with less violence than most of his contemporaries.

A.

He seems to refer to a charge of embezzlement of the public treasure, made in the City Petition presented to his Majesty, July 5th, 1769, of which the following is a copy:—

The humble Petition of the Livery of the City of London in Common Hall assembled.

'*Most Gracious Sovereign*,

'We, your Majesty's dutiful and loyal subjects, the Livery of the City of London, with all the humility which is due from free subjects to their lawful Sovereign, but with all the anxiety which the sense of the present oppressions, and the just dread of future mischiefs, produce in our minds, beg leave to lay before your Majesty some of those intolerable grievances which your people have suffered from the evil conduct of those who have been intrusted with the administration of your Majesty's government, and from the secret unremitting influence of the worst of counsellors.

'We should be wanting in our duty to your Majesty, as well as to ourselves and our posterity, should we forbear to represent to the throne the desperate attempts which have been and are too successfully made, to destroy that constitution, to the spirit of which we owe the relation which subsists between your Majesty and the subjects of these realms, and to subvert those sacred laws which our ancestors have sealed with their blood.

'Your ministers, from corrupt principles, and in violation of every duty, have, by various enumerated means, invaded our invaluable and unalienable right of trial by jury.

'They have, with impunity, issued general warrants, and violently seized persons and private papers.

'They have rendered the laws non-effective to our security, by evading the Habeas Corpus.

'They have caused punishments, and even perpetual imprisonment, to be inflicted without trial, conviction, or sentence.

'They have brought into disrepute the civil magistracy, by the appointment of persons who are, in many respects, unqualified for that important trust, and have thereby purposely furnished a pretence for calling in the aid of a military power.

'They avow, and endeavour to establish a maxim, absolutely inconsistent with our constitution, that 'an occasion for *effectually* employing a military force always presents itself when the civil power is *trifled with or insulted*;' and

by a fatal and false application of this maxim, they have wantonly and wickedly sacrificed the lives of many of your Majesty's innocent subjects, and have prostituted your Majesty's sacred name and authority, to justify, applaud, and recommend their own illegal and bloody actions.

'They have screened more than one murderer from punishment, and in its place have unnaturally substituted reward.

'They have established numberless unconstitutional regulations and taxations in our colonies. They have caused a revenue to be raised in some of them by prerogative. They have appointed civil law judges to try revenue causes, and to be paid from out of the condemnation money.

'After having insulted and defeated the law on different occasions, and by different contrivances. both at home and abroad, they have at length completed their design, by violently wresting from the people the last sacred right we had left, the right of election; by the unprecedented seating of a candidate notoriously set up and chosen only by themselves. They have thereby taken from your subjects all hopes of parliamentary redress, and have left us no resource, under God, but in your Majesty.

'All this they have been able to effect by corruption; by a scandalous misapplication and embezzlement of the public treasure, and a shameful prostitution of public honours and employments; procuring deficiencies of the civil list to be made good without examination; and, instead of punishing, conferring honours on a pay-master, the public defaulter of unaccounted millions.

'From an unfeigned sense of the duty we owe to your Majesty, and to our country, we have ventured thus humbly to lay before the throne these great and important truths, which it has been the business of your ministers to conceal. We most earnestly beseech your Majesty to grant us redress. It is for the purpose of redress alone, and for such occasions as the present, that those great and extensive powers are intrusted to the crown, by the wisdom of that constitution, which your Majesty's illustrious family was chosen to defend, and which, we trust in God, it will for ever continue to support.'

Lord Holland suspecting himself to be implicated in the last paragraph but one of the above petition, addressed the following letter to the Lord Mayor upon this subject:—

TO THE RIGHT HONOURABLE THE LORD MAYOR.

'My Lord,

'In a petition presented by your Lordship it is mentioned as a grievance, *Instead of punishing, conferring honours on a pay-master, the public defaulter of unaccounted millions.* I am told that I am the pay-master here censured: may I beg to know of your Lordship if it is so? If it is, I am sure Mr Beckford must have been against it, because he knows and could have shown your Lordship in writing, the utter falsehood of what is there insinuated.

'I have not the honour to know your Lordship, so I cannot tell what you may have heard to induce you to carry to our Sovereign a complaint of so atrocious a nature.

'Your Lordship, by your speech made to the king at delivering the petition, has adopted the contents of it; and I do not know of whom to enquire but of your Lordship concerning this injury done to an innocent man, who am by this means (if I am the person meant) hung out as an object of public hatred and resentment.

'You have too much honour and justice not to tell me whether I am the person meant, and if I am, the grounds upon which I am thus charged, that I may vindicate myself, which truth will enable me to do to the conviction of the bitterest enemy; and therefore I may boldly say, to your Lordship's entire satisfaction, whom I certainly have never offended,

'I am, with the greatest respect,
'My Lord,
'Your Lordship's most obedient
'And most humble servant.
'HOLLAND.'

'*Holland House, Kensington,*
'*July 9th*, 1769.'

To this letter the Lord Mayor returned the following answer:—

'The Lord Mayor presents his compliments to lord Holland, and in answer to the honour of his Lordship's letter delivered to him by Mr Selwyn, he begs leave to say that he had no concern in drawing up the petition from the Livery of London to his Majesty; that he looks on himself only as the carrier, together with other gentlemen charged by the Livery with the delivery of it; that he does not, nor ever did, hold himself accountable for the contents of it, and is a stranger to the nature of the supposed charge against his Lordship.

'*Mansion House, July 10th*, 1769.'

Mr Beckford, seeing his name implicated in this correspondence, wrote from the country the following letter to a friend, who was a Liveryman of the city:—

'Dear Sir, *Fonthill, July* 15, 1769.

'I am as much surprised as you seem to be, at seeing my name, and papers in my possession, appealed to by a noble Lord.—You and my friends in the city think it incumbent on me to vindicate (as they are pleased to express themselves) my honour and character, which is called in question. The only proper satisfaction in my power to give you and my other friends, is to relate plain matters of fact, to the best of my recollection.

'In the last session of Parliament, on a question of revenue (as far as my memory serves) I did declare to the House that the public revenue had been squandered away, and that the money of the nation had not been regularly audited and accounted for.

'That in the department of the Pay-office I had been informed there were upwards of forty millions not properly accounted for; that the officers of the King's Exchequer were bound in duty to see justice done to the public; that pro-

cess had issued out of the Court of Exchequer, and that all proceedings for a certain time had been suspended by the king's sign manual. I then did declare, that it was an high offence for any minister to advise the king to stop the course of public justice, without assigning a very good reason for such his advice. I desired the Chancellor of the Exchequer, and the Lords of the Treasury, who sat opposite to me, to set me right if my information was not well-founded; but not a single word was uttered in answer by any of the gentlemen in administration.

'After some days had elapsed, I met my friend Mr Woodhouse in Westminster Hall, he told me I had been misinformed as to what I had mentioned in the House of Commons, and that, if I would give him leave, he would send me a paper from a noble Lord, which would convince me of my mistake. The paper alluded to is in London, I therefore cannot speak of the contents with accuracy and precision: but this I recollect, that the perusal of the paper did *not* convince me that all I had heard was false. It was a private paper, and I do not recollect having shown it to more than a single person. I have no doubt Mr Woodhouse has a copy of the paper by him, and I hope he will submit the contents to the judgment of the public, in vindication of an INNOCENT man.

'I am, dear Sir,

'Your ever faithful and affectionate humble servant,

'WILLIAM BECKFORD.'

It was in consequence of this letter that lord Holland was induced to publish the account above referred to by JUNIUS, and again by Mr Beckford. Long as it is, it ought not to be omitted in this place.

FOR THE PUBLIC ADVERTISER.

Letter to H. S. Woodfall.

'MR WOODFALL, *Kingsgate, July* 20, 1769.

'Lord Holland seeing in your paper a Letter from Mr Beckford to a Liveryman, of July 15, 1769, and Mr Woodhouse being at Spa, in Germany, sends you an authentic copy of the paper which he sent by Mr Woodhouse to Mr Beckford. He hopes the perusal of it will convince the reader that all is false that can impute any crime to lord Holland.

'The reader will see that some of lord Holland's accounts were then before the auditor; and there are two years' accounts since lodged there.

'He will see that lord Holland's accounts (voluminous and difficult beyond example) have not been kept back from inclination, but necessity; and not longer than those of his predecessors.

'He will see (and is desired to observe particularly) that savings, so far from remaining all in lord Holland's hands, had been given in and voted in aid of the public service to the amount of £910,541. And £43,533 19*s*. 7*d*. (upon some regimental and other accounts being adjusted this last winter) have been since paid and voted.

'He will read in it, that lord Holland desired to be shown how he could proceed faster than he did. If nobody has shown or can show how that might have been, or may be done, does he deserve either punishment or censure? And had he not a right to think himself sure that Mr Beckford must have been against the article in the petition relating to him, because *Mr Beckford knew, and could have shown the Lord Mayor in writing, the utter falsehood of what is there insinuated.*

'Lord Holland prints the memorial examined by the Treasury, and the sign manual it obtained; stopping process (not accounts) for six months, which neither did nor could suspend or delay the pay-master's accounts an hour.

'HOLLAND.'

OBSERVATIONS ON THE ACCOUNTS OF THE PAY-MASTER GENERAL.

Why were Lord Holland's accounts, as pay-master general, for the years 1757, 1758, and 1759, not delivered to the auditors before the year 1768?

ANSWER.

The pay-master general's officers being best acquainted with army accounts, are employed in making up the account of the preceding pay-masters. The accounts of the earls of Chatham, Darlington, and Kinnoul, and Mr Potter, were made up by them, and regularly, and in due course delivered to the auditors.

Great as the army and its expenses were during the last war, beyond all former example, dispersed in all quarters of the world, and difficult as it must have been to keep the accounts in any tolerable order, it will be found, upon examination, that the accounts of lord Holland as pay-master general, are not further back than those of his predecessors, and that his Lordship's accounts are not kept back, as has been suggested, from inclination, but necessity.

The late Mr Winnington's accounts, for two years and a half, from December, 1743, to 24th of June, 1746, were declared the 15th of May, 1760. The earl of Chatham's accounts for nine years and a half, from the 25th June, 1746, to the 24th of December, 1755, are not yet declared.

The earls of Darlington and Kinnoul for the year 1756, and the earl of Kinnoul's and Mr Potter's for six months, to the 24th of June, 1757, are now before the auditors.

The accounts of lord Holland for the years 1757, 1758, and 1759; likewise the accounts of his deputies, attending the army in Germany, from the commencement to the end of the late war, are also before the auditors for their examination, and his Lordship's account for the year 1760, is almost ready to be delivered to them.

From the nature and extension of army accounts, it is most evident to those that are best acquainted with them, that it is tedious and difficult to bring even regimental accounts to a final adjustment; other parts of the accounts are more so. Lord Holland, in the course of the years 1759, 1760, 1761, 1762, 1763, and 1764, has paid to regiments and independent companies

£320,391 9*s.* 11*d.*, whose accounts are at this time unadjusted, for want of proper authorities, and till those authorities are obtained the auditor will not allow one shilling of said sum in his Lordship's account. To obtain those authorities, his Lordship has often repeated his solicitations.

What is the balance of cash in lord Holland's hands?

ANSWER.

The meaning of this question can be no other than, what savings are in lord Holland's hands? Or, in other words, how much has the expense in any case fallen short of the sum voted?

As to the savings:—so far as the Pay-Office has been enabled to state the army accounts, they have been given in to parliament.

From services that have fallen short of the sums voted, and from monies paid in by army accomptants, lord Holland directed accounts to be made up and laid before the House of Commons; and accordingly (out of these savings in lord Holland's hands) parliament from time to time availed itself of the following sums, viz.

	£	*s.*	*d.*
Voted in aid of extraordinaries, to December 24, 1763, . .	239,966	1	4
Voted in the year 1764, in aid of German claims, . . .	170,906	2	8
Voted in the year 1765, in aid of ditto service, . . .	251,740	2	7
Voted in the year 1766, in aid of extraordinary services,	60,638	2	10
Voted in the year 1767, in aid of extraordinaries and other services, . . .	171,571	13	3
Voted in the year 1768, in aid of the supply . .	15,719	15	7
	£910,541	18	3

His Lordship could by no other means ascertain and give in to parliament the savings on the votes for the army, but by the final adjustment of army accounts; what further savings may be, is very uncertain, as they cannot be known before the services are absolutely determined and closed.

His Lordship is very sorry to say it, that in the years 1759, 1760, 1761, 1762, 1763, and 1764, there are not less than fifty-six regiments and companies now standing open and unadjusted, for want of authorities; and in his ledgers there are accounts to a much greater extent, as the pay of staff officers, &c. &c.

It may be seen here that though Mr Winnington died in April, 1746, and his executor, Mr Ingram, used all possible industry to close his accounts, they could not be closed till 1760; fourteen years. The earl of Chatham went out in December, 1755, yet are not his accounts closed till 1768; thirteen years. The earl of Kinnoul's are not closed yet, though he has been out of the office eleven years. Lord Holland has been out three years and a half. Where is the wonder his are not closed?

If those who complain will show lord Holland how he can proceed faster than he does, he will be very much obliged to them. Let it be observed, that he has before the auditors already, accounts for more years than Mr Winnington or lord Kinnoul had to account for.

MEMORIAL FOR LORD HOLLAND TO HAVE LONGER TIME TO MAKE UP HIS ACCOUNTS AS PAY-MASTER GENERAL

May it please your Lordships,

I beg to inform your Lordships that a process is in the hands of the sheriffs of Middlesex against me to account to his Majesty for the monies imprested to me, as pay-master general of his Majesty's forces.

I most humbly apprehend that the regular ordinary course of accounting in the Exchequer was calculated (when established) for transactions at home, which are easily and readily to be collected and made up at short periods of time.

The accounts of the army when employed abroad, particularly, must unavoidably be much in arrear from the nature of the service.

The army payments are necessarily in arrear; and articles, from accidents inevitable, are obliged to remain often open a long time before they can finally be closed.

The accounts of the last war are voluminous and difficult beyond example. The great variety of operations, and the very great distance of the troops, made, and must make, the correspondence, and adjusting those accounts with the pay-masters and accountants attending them, very slow and tedious. These therefore will require longer time to make up, both from their bulk and difficulty.

During the course of a war, the troops constantly changing and moving, and the service in the utmost hurry, it cannot then be done with the order and regularity absolutely necessary. Since the war the utmost diligence has been used in them. The great intricate article of Foreign expense (viz. the German) has been got together for the whole time (which, after the former war, was several years about); and one year and a half's general account is now made out, and ready to be laid before the auditors; the rest will regularly be laid before them as fast as it is possible to make them up. Though I have been two years out of employment the payments for my time are not yet completed.

I therefore pray your Lordships will be pleased to obtain his Majesty's warrant, granting me longer time for making up my accounts as pay-master general of his Majesty's forces.

Pay-Office, Horse Guards, Which is, &c. &c.
25th June, 1767. HOLLAND.

KING'S WARRANT, STAY OF PROCESS AGAINST LORD HOLLAND FOR SIX MONTHS.

Copy.

George R.

Whereas our right, trusty, and well-beloved Henry lord Holland hath, by the annexed memorial, represented, that, from several un-

avoidable causes and difficulties, he hath been prevented making up his accompts as late pay-master general of our forces; and we having taken the said matter into our royal consideration, are graciously pleased to grant unto him a further time for making up his said accompts. Our will and pleasure therefore is, and we do hereby direct, authorize, and require you to cause all process against the said Henry lord Holland for his accompts, as late pay-master general of our forces, to be stayed for and during the term of six months, computed from the day of the date hereof. And for so doing this shall be your warrant. Given at our Court at Saint James's the eighth day of July, 1767, in the seventh year of our reign.

By his Majesty's command,
GRAFTON.
C. TOWNSHEND.
T. TOWNSHEND.

To our right, trusty, and well-beloved Samuel lord Marsham, our Remembrancer in our Court of Exchequer.

B.

The Mr Onslow here spoken of, as well as in various other parts of this work, is the present lord Onslow. The history of his dispute with the late Mr Horne Tooke is as follows:—In the Public Advertiser of July 14th, 1769, the following letter made its appearance, addressed

TO THE RIGHT HON. GEORGE ONSLOW, ESQ.

SIR,

I have heard from very good authority that one of the Lords of the Treasury has lately gained a thousand pounds in a very common and usual manner, which is yet likely to be attended with a very uncommon and unusual consequence. Mr —— applied to the right honourable Mr —— for his interest for a certain lucrative post in America. The gentleman was informed that a thousand pounds placed in the hands of Mrs —— would insure him the place. Mr —— not having the money, prevailed on colonel —— to join with him in a bond for that sum to the lady to whom he was directed. So far, Sir, all is in the common track: What follows is the wonderful part of the transaction. This Lord of the Treasury kept his word, and the gentleman was appointed to the office he had paid for! And stranger still, lord ——, who discovered this bargain and sale, is offended at it, and insists on the dismission of this Lord of the Treasury. Now, Sir, I must intreat you to favour one of your constituents with the name of this Lord of the Treasury, for you, no doubt, who sit at that Board yourself, must be acquainted with him.

ANOTHER FREEHOLDER OF SURREY.

Ash-Court, July 11.

To this letter Mr Onslow made the following reply, which was published in the same newspaper, July 18, ensuing.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *July* 16.

Having just now read a letter containing, by evident insinuation, a most audacious attack upon my character, printed by you, in your paper of Friday last, asserting a gross and infamous lie from beginning to end; I do hereby publicly call upon you to name the person from whom you received the account you have presumed to publish. If you are either unable or unwilling to do this, I shall most certainly treat you as the author, and, in justice both to myself and others who are every day thus malignantly and wickedly vilified, shall take the best advice in the law if an action will not lie for such atrocious defamation, and if I may not hope to make an example of the author of it.

The scurrility in general which has been of late so heaped upon me in the public papers, I have hitherto treated with the contempt my friends and myself thought it deserved, and suffered it to pass with impunity; but this last is so outrageous, and tends so much to wound my character and honour in the tenderest part, that I am determined, if practicable, to see if a jury will not do me and the public justice against such a libeller, and whether they will not think the robbing an innocent man of his character is a robbery of the most dangerous kind, and that the perpetrators of it will stick at nothing.

For the present I must content myself with only laying before the public the two following letters, which will explain to them all the knowledge I had of the detestable fraud, which has been taken advantage of to charge me with corruption; a crime, which, of all others, I hold the most in abhorrence. I defy the whole world to prove a single word in your libellous letter to be true, or that the whole is not a barefaced, positive, and entire lie. That it is so I do assert, and I call upon anybody, if they can, to disprove what I say.

GEORGE ONSLOW.

Copy of a letter to Mr Onslow, received the 27th of June.

SIR, *New Bond Street, June* 25, 1769.

I beg you will pardon my thus addressing you, a liberty I could not think of, was any thing less than my family's bread at stake. Some weeks past my husband paid a large sum of money (which gave us inexpressible sorrow to raise) to a party, who protest they are empowered by you to insure him, in return, the collectorship of Piscataway in New Hampshire. I have been told this day one Hughes is in possession of the same, and the Treasury Books confirm the news. I beg leave most earnestly to intreat you will inform me whether Mr Hughes is under any engagement to resign, or whether we are duped by those who have taken our money.

Mr Burns has had the strongest recommendations from persons of undoubted veracity, and I believe, on all accounts, will be found to be perfectly capable and worthy of the employment.

Once more I intreat, good Sir, you will excuse

this trouble, which is caused by a heart almost broken with the fear and terror of a disappointment. With the profoundest respect,

I am, Sir,
Your most obedient
humble Servant,
MARY BURNS.

Mr Onslow's Answer.

MADAM, *Ember Court, June* 27, 1769.

Your letter was brought down to me hither only to-day, or I should have answered it sooner. Without having the honour of being known to you or Mr Burns, it gives me much concern that anybody should be so imposed upon as you have been, and as much indignation that my name should be made so infamous a use of. I should have been under an equal degree of surprise, had I not this morning had some intimation of the matter from Mr Pownal and Mr Bradshaw, and made some enquiry into it of Mr Watkins at Charing Cross, with a determination to sift this shocking scene of villany to the bottom, and which I shall now be encouraged in by the hopes of getting you your money restored to you, as well as the earnest desire I have to bring the perpetrators of this roguery to the punishment and shame they deserve.

For this purpose, might I beg the favour of Mr Burns to meet me at my house in Curzon Street, about ten o'clock on Friday morning.—I will go with him to Mr Pownal's, of which I have given him notice: and I wish Mr Burns would bring with him Mr Watkins, or anybody else that can give light into this unhappy and wicked affair.

Till this morning I never in my life heard a single word of either the office itself, nor of any of the parties concerned. You will judge then of my astonishment, and indeed horror, at hearing of it to-day from Mr Bradshaw.

I am, Madam, &c.,
GEORGE ONSLOW.

Since writing of the above letters, more of this fraud has been detected, and further enquiry is making, in order to bring the actors in it to justice. A woman of the name of Smith, who lives near Broad Street, is the person who appears to be principally concerned in the fraud, the money being, it seems, for her use.

The writer of the first address, now authorizing the printer to give Mr Onslow his name (which he did, and which was that of the Rev. John Horne), once more attacked the Right Honourable Gentleman as follows, in the same paper, July 28.

TO THE RIGHT HONOURABLE
GEORGE ONSLOW.

GOOD SIR,

If with another INNOCENT man, Lord Holland, you were ambitious to add to the list of Mr Walpole's Right Honourable authors, you might, like him, have exposed yourself with more temper, and have called names in better English.

I should be sorry to libel you by mistaking your meaning, but the strange manner of wording your first sentence leaves me at a loss to know whether you intend that my letter, or —your own character, is '*a gross and infamous lie from beginning to end.*'

You may save yourself the expense of taking '*the best advice in the law.*' Depend upon it you can never '*hope to make an example of the author, when the publisher is unable or unwilling to give up his name.*' And you need not wait for a jury to determine '*that robbing a man is* certainly *a robbery.*' But you should have considered some months since that it is the same thing whether the man be guilty or innocent; and whether he be robbed of his reputation or—of his seat in parliament.

In the Public Advertiser of Friday, July 14, there is a letter FROM you as well as TO you. If that is the *scurrility* you speak of, I agree with you that it has been treated *with the contempt it deserves* by all the world; but how you can say that it has passed with *impunity*, I own I cannot conceive, unless indeed you are of opinion with those hardened criminals who think that, because there is no corporal sufferance in it, the being gibbeted in chains and exposed as a spectacle makes no part of their punishment.

The letter written by you to Mr Wilkes tends more '*to wound your character and honour,*' than any other, and yet you pass it over in silence. But you shall, if you please, prove to the world that those who have neither character nor honour, may still be wounded in a very tender part—their interest. And I believe lord Hillsborough is too noble to suffer any Lord of the Treasury to prostitute his name and commission to bargains like that I have exposed; but will, if he continues to preside at the Board of Trade, resolutely insist either on such Lord's full justification or dismission.—*Hinc illæ lachrymæ.*

You '*defy the whole world to prove a single word in my letter to be true; or that the whole is not a barefaced, positive, and entire lie.*' The language of the last part of the sentence is such as I can make no use of, and therefore I return it back on you to whom it belongs: The defiance in the first part, I accept, and will disprove what you say.

My letter can only be false in one particular; for it contains only one affirmation, namely, that I heard the story I relate from very good authority. It then concludes with a question to you of—who is this Lord of the Treasury that so abhors corruption? Which question since you have answered, I too will gratify you, and in return for yours do hereby direct the printer to give you my name; which, humble as it is, I should not consent to exchange with you in any other manner.

Now, Sir, I do again affirm that I heard the story from the best authority: And that it is not my invention your own letter is a proof, for I might have heard it either from Mrs Burns, or from Mr Pownal, or Mr Bradshaw, but I heard it from better authority. I go further. I do

still believe the story as I related it to be true; nor has any thing you have said convinced me to the contrary. I do not mean to charge you or any one; but since you have condescended to answer my former question, be kind enough to explain what follows.

Mr Pownal is secretary to the Board of Trade. Mr Bradshaw is secretary to the Treasury. Why did these two secretaries come together to you? Were they sent by their principals or not? Who first detected this very scandalous though very common traffic? Has not lord Hillsborough that honour? And is not your exaggerated '*abhorrence of corruption, your astonishment, and indeed* HORROR *at this shocking scene of villany*' vastly heightened by the calm, and therefore unsuspected, disapprobation of his Lordship; who does not seem to think with you that every whore should be hanged alive; but only that they should be TURNED OUT of honest company.

How came you so instantly to entertain hopes of getting the money restored to Mrs Burns? when you declared, that, '*till that morning, you never in your life heard a single word of either the office itself, nor of any of the parties concerned.*' Jonathan Wild used to return such answers; because he knew the theft was committed by some of his own gang.

You pretend to have given to the public '*all the knowledge you have of this detestable fraud.*' I cannot believe it, because I find nothing in your letter on which to found your hopes of restoring the money to Mrs Burns; and especially because in three weeks after this letter, i. e. from June 27 to July 18, you have only discovered '*that Mrs Smith appears to be principally concerned in this detestable fraud,* the money *being, it seems, for her use.*' Sir, do you not know WHOSE wife Mrs Smith is? And are you not acquainted with that gentleman? Have you caused Mrs Smith or any one else to be taken into custody? Have you taken '*the best advice in law, and are you determined to see if a jury will not do you and the public justice*' for this detestable fraud? Or is there yet left one crime which you abhor more than corruption, and for which you reserve all your indignation? But why this anger? He that is innocent can easily prove himself to be so; and should be thankful to those who give him the opportunity by making a story public. Malicious and false slander never acts in this open manner; but seeks the covert, and cautiously conceals itself from the party maligned, in order to prevent a justification. If any person have done your character an injury by a charge of corruption, *they* are most guilty who so thoroughly believed you capable of that crime, as to pay a large sum of money on the supposition (an indignity which I protest I would not have offered to you, though you had negotiated the matter and given the promise yourself): and yet I do not find you at all angry with them when they tell you their opinion of you without scruple. On the contrary, you pity Mrs Burns in the kindest manner, which shows plainly that your honour is not like Cæsar's wife. Nay, you seem almost to doubt whether you '*might beg the favour of Mr Burns to meet you at your house in Curzon Street;*' that is, you humbly solicit Mr Burns to do you the *favour* of accepting your assistance in the recovery of his money. Archbishop Laud thought to clear himself to posterity from all aspersions relative to popery, by inserting in his diary his refusal of a cardinal's hat; not perceiving the disgrace indelibly fixed on him by the offer. '*Mr Burns has had the strongest recommendations from persons of undoubted veracity, and I believe on all accounts will be found to be perfectly capable and worthy the employment.*' The letter from Mrs Burns to you does by no means declare her to be an ideot. Colonel ——— (whom you forbear to mention) is a man of sense, and well acquainted with the world. It is strange they should all three believe you capable of this crime, which '*of all others you most hold in abhorrence.*' Mr Pownal, Mr Bradshaw, and their principals, are supposed to know something of men and things, and therefore I conclude they did *not* believe you concerned in this business: though I wonder much that, *not* believing it, both the secretaries should wait on you so seriously about it; but perhaps they may think, that when honour and justice are not the rules of men's actions, there is nothing incredible that may be for their advantage. But, Sir, whatever may be their sentiments of you, I must intreat you to entertain no resentment to me, my opinion of your character would never suffer me to doubt your innocence. If indeed the charge of corruption had been brought against a low and ignorant debauchee, who, without the gratifications and enjoyments of a gentleman, had wasted a noble patrimony amongst the lowest prostitutes; whose necessities had driven him to hawk about a reversion on the moderate terms of one thousand for two hundred; whose desperate situation had made him renounce his principles and desert his friends, those principles and those friends to which he stood indebted for his chief support; who for a paltry consideration had stabbed a DEAR OLD FRIEND, and violated the sacred rights of that grateful country that continued to the son the reward of his father's services: if the charge had been brought against such an one, more fit to receive the public charity than to be trusted with the DISPOSAL and MANAGEMENT of the public money, small proof would have been sufficient; and instead of considering it as a crime the most to be abhorred, we might have suffered corruption to pass amongst the virtues of such a man. But yours, Sir, is a very different character, and situation. In the clear and unincumbered possession of the paternal estate with which your ancestors have long been respectable; with a pension of three thousand, and a place of one thousand a year; with the certain prospect of lord Onslow's large fortune, which your prudence will not anticipate; grateful to your country, faithful to your connexions, and firm to your principles, it ought to be as difficult to convict you of corruption, as a cardinal of fornication; for which last purpose, by the canon law, no less

than seventy-two eye-witnesses are necessary. Thus, Sir, you see how far I am from casting any reflection on your integrity: however if notwithstanding all I have said you are still resolved to try the determination of a jury, take one piece of advice from me: do not think of prosecuting me for an INSINUATION: alter your charge before it comes upon record, to prevent its being done afterwards; for though lord Mansfield did not know the difference between the words when he substituted the one for the other, we all know very well now that it is the TENOR and not the PURPORT that must convict for a libel, which indeed almost every student in the law knew before.

ANOTHER FREEHOLDER OF SURRY.

The names of lord Hillsborough and Mr Pownal having been introduced into the preceding letter, they thought proper to deny any other knowledge of Mr Onslow's supposed turpitude, than that proceeding from common report, and accordingly inserted the following letters in the Public Advertiser on the day after their respective dates. Long as this note is, we cannot, in justice to Mr Onslow, here omit them.

TO H. S. WOODFALL,

Printer of the Public Advertiser.

HAVING observed in a newspaper of the 28th of July last, that it is insinuated that I have been the detector of a supposed crime, imputed to the right honourable George Onslow, Esq., I do think it an act of common justice to declare, in this public manner, that I am entirely ignorant of the said supposed crime, and of all circumstances relative to it, except that I have heard the story mentioned in common conversation, and constantly treated as a calumny propagated to injure Mr Onslow's reputation.

Hanover Square, August 2, 1769. HILLSBOROUGH.

IT having been suggested in a letter addressed to the right honourable George Onslow, Esq., published in a newspaper dated the 28th of July last, that I was, together with Mr Bradshaw, sent to Mr Onslow, on the subject of a scandalous transaction, in which Mr Onslow is, in the said letter, stated to be concerned; it is become necessary for me, in justice to that gentleman, to declare, that I never was sent to Mr Onslow, on that or any other occasion; but having heard this story, I thought it but common justice to communicate it to Mr Onslow, which I did through the channel of Mr Bradshaw.

J. POWNAL.

Whitehall, August 2, 1769.

AN action for defamation against Mr Horne, was brought by Mr Onslow, agreeably to his menace, and the damages were laid at £10,000. It was tried before Mr Justice Blackstone, at the Surry Assizes held at Kingston, April 6, 1770, and terminated in Mr Onslow's nonsuit, in consequence of the word pounds being inserted in the record, instead of the word pound. The cause was re-heard before lord chief justice Mansfield at the ensuing Summer Assizes, held at Guildford, when Mr Onslow was again nonsuited. The trial is supposed to have cost Mr Onslow upwards of £1500 in consequence of his having retained all the principal counsel upon the occasion.

No. 6.

SIR, *Sunday, Aug.* 6, 1769.

THE spirit of your letter[1] convinces me that you are a much better writer than most of the people whose works you publish. Whether you have guessed well or ill must be left to our future acquaintance. For the matter of assistance, be assured that, if a question should arise upon any writings of mine, you shall not want it. Yet you see how things go, and I fear my assistance would not avail you much. For the other points of printing, &c., it does not depend upon us at present. My own works you shall constantly have, and in point of money, be assured you never shall suffer. I wish the enclosed[2] to be announced tomorrow *conspicuously* for Tuesday. I am not capable of writing anything more finished.

Your friend,

C.

Your Veridicus[3] is Mr Whitworth. I assure you I have not confided in him.

No. 7.

SIR, *Wednesday night, Aug.* 16, 1769.

I HAVE been some days in the country, and could not conveniently send for your letter until this night.. Your correction was perfectly right. The sense re-

[1] The substance of Mr Woodfall's reply to Private Letter, No. 3, is not known.

[2] Letter XX.

[3] Veridicus was a frequent writer in the Public Advertiser, in the year 1769, and, as already observed in the Preliminary Essay, was Richard Whitworth, Esq., M.P. for Stafford.

quired it, and I am much obliged to you. When I spoke of *innumerable* blunders, I meant Newberry's pamphlet; for I must confess that upon the whole your papers are very correctly printed.

Do with my letters exactly what you please. I should think that, to make a better figure than Newberry, some others of my letters may be added, and so throw out a hint, that you have reason to suspect they are by the same author. If you adopt this plan, I shall point out those which I would recommend; for you know, I do not, nor indeed have I time to, give equal care to them all.

I know Mr Onslow perfectly. He is a false silly fellow. Depend upon it he will get nothing but shame by contending with Horne.[1]

I believe I need not assure you, that I have never written in any other paper since I began with yours. As to JUNIUS, I must wait for fresh matter, as this is a character which must be kept up with credit. Avoid prosecutions if you can; but, above all things, avoid the Houses of Parliament,—there is no contending with them. At present you are safe, for this House of Commons has lost all dignity, and dare not do any thing.

Adieu,

C.

No. 8.

(Private)

SIR, *Sept.* 10, 1769.

THE last letter you printed was idle and improper, and I assure you printed against my own opinion.[2] The truth is, there are people about me, whom I would wish not to contradict, and who had rather see JUNIUS in the papers ever so improperly than not at all. I wish it could be recalled. Suppose you were to say—*We have some reason to suspect that the last letter signed Junius in this paper, was not written by the real Junius, though the observation escaped us at the time:* or, if you can hit off any thing yourself more plausible, you will much oblige me, but without a positive assertion. Don't let it be the same day with the enclosed. Begging your pardon for this trouble, I remain your friend and humble servant,

C.

No. 9.

(Private)

SIR, *Friday night, Sept.* 15, 1769.

I BEG you will to-morrow advertise *Junius to another duke in our next.*[3] If Monday's paper be engaged, then let it be for Tuesday, but not advertised till Monday. You shall have it some time to-morrow night. It cannot be corrected and copied sooner. I mean to make it worth printing.

Yours,

C.

No. 10.

Thursday night, Oct. 5, 1769.

I SHALL be glad to see the pacquet you speak of.[4] It cannot come from the Cavendishes, though there be no end of the family. They would not be so silly as to put their arms on the cover. As to me, be assured that it is not in the nature of things, that they, or you, or any body else should ever know me, unless I make myself known. All arts, or enquiries, or rewards would be equally ineffectual.

As to *you*, it is clearly my opinion, that you have nothing to fear from the duke of Bedford. I reserve some things expressly to awe him, in case he should think of bringing you before the House of Lords.—I am sure I can threaten him privately

[1] This contest is already related in the note to Private Letter, No. 5.

[2] It occurs in the Miscellaneous Letters, No. LIX. In the genuine edition it was omitted for the reason which the author has here specified.

[3] This note accompanied the letter to his Grace the duke of Bedford, Letter XXIII., and was announced agreeably to the above request in the Public Advertiser for September 18, 1769.

[4] The nature of this communication is not known.

N°10. Thursday Night.

I shall be glad to see the parquet you speak of. It can not come from the Cavendishes, tho. there be no End of the family. They would not be so silly as to put their arms on the Cover. As to me, be assured that it is not in the Nature of things that they, or You; or any body Else should ever know me, unless I make myself known. All arts or Inquiries, or Rewards would be equally ineffectual.
As to you, it is clearly my Opinion, that you have nothing to fear from the D. of B— I reserve some things expressly to awe him, in Case he sh.d think of bringing You before the St.o of L.— I am sure I can threaten him privately with such a Storm, as wd. him tremble even his Grave. — You may send tomorrow to the same place without further Notice; & if you have any thing of your own to communicate, I shall be glad to hear it.

J

N°6.

Sunday.

Sir, The Spirit of your letter convinces me that you are a much better writer than most of the people, whose works You publish. Whether You have guessed well or ill must be left to our future Acquaintance. For the matter of assistance, be assured that, if a question should arise upon any writings of mine, you shall not want it. Yet you see how things go, and I fear my Assistance would not avail you much. For the other points of printing &c. it does not depend upon us at present. My own Works You shall constantly have, & in point of money, be assured you never shall suffer conspicuously. I wish the inclosed to be announced tomorrow, for Tuesday. I am not capable of writing any thing more finished. Your friend

Your Guardian is Mr. Whitworth. I assure You I have not confided in him.

with such a storm, as would make him tremble even in his grave. You may send to-morrow to the same place without further notice; and if you have any thing of your own to communicate, I shall be glad to hear it.

C.

No. 11.

SIR, *Nov.* 8, 1769.

I HAVE been out of town these three weeks, and, though I got your last, could not conveniently answer it. Be so good as to signify to A. B. C., either by word of mouth, or in your own hand, 'that his papers are received, and that I should have been ready to do him the service he desires; but at present it would be quite useless to the parties, and might offend some persons who must not be offended.' As to Mr Mortimer,[1] only make him some civil excuse.

I should be much obliged to you, if you would reprint (and in the front page, if not improper or inconvenient) a letter in the London Evening Post of last night, to the duke of Grafton.[2] If it had not been anticipated, I should have touched upon the subject myself. However, it is not ill done, and it is very material that it should spread. The person alluded to is lord Denbigh. I should think you might venture him with a *D.* As it stands few people can guess who is meant. The only thing that hinders my pushing the subject of my last letter, is really the fear of ruining that poor devil Gansel, and those other blockheads.—But as soon as a good subject offers.—Your types really wanted mending.

C.

No. 12.

SIR, *Nov.* 12, 1769.

I RETURN you the letters you sent me yesterday. A man who can neither write common English, nor spell, is hardly worth attending to. It is probably a trap for me. I should be glad, however, to know what the fool means. If he writes again, open his letter, and if it contains any thing worth my knowing, send it: otherwise not. Instead of C. in the usual place, say only *A Letter* when you have occasion to write to me again.—I shall understand you.

No. 13.

Thursday, Nov. 16, 1769.

As I do not chuse to answer for any body's sins but my own, I must desire you to say to-morrow, 'We can assure the Public that the letter, signed A. B., relative to the duke of Rutland, is not written by the author of JUNIUS.'[3]

I sometimes change my signature, but could have no reason to change the paper, especially for one that does not circulate half so much as yours.

C.

For the future, open all letters to me, and don't send them, unless of importance. —I can give you light about Veridicus.[4]

No. 14.

Sunday, Dec. 10, 1769.

I WOULD wish the paper (No. 2.) might be advertised for Tuesday.[5]

By way of intelligence you may inform the public that Mr De La Fontaine, *for his secret services in the Alley*, is appointed Barrack-master to the Savoy.

I hope A. B. C. has got his papers again.

No. 15.

SIR, *Dec.* 12, 1769.

YOU may tell Mr A. B. C. that I did not receive his letter till last night, and

[1] Mr Mortimer was either at this time, or shortly afterwards, employed by Mr Woodfall to procure intelligence for the Public Advertiser.

[2] See Miscellaneous Letters, No. LXI.

[3] See Miscellaneous Letters, No. LXI., and the first note appended to it.

[4] See note to Private Letter, No. 6.

[5] The paper here referred to is the letter of JUNIUS, No. XXXIV. The ensuing intelligence was published verbally in the Public Advertiser of the next day, Dec. 11.

have not had time to look into the paper annexed. I cannot at present understand what use I can make of it. It certainly shall not be an ungenerous one to him. If he or his counsel *know how to act*, I have saved him already, and really without intending it.—The facts are all literally true. Mr Hine's place is customer at the port of Exeter. Colonel Burgoyne received £4000 for it. To mend the matter, the money was raised by contribution, and the subscribers quartered upon Mr Hine. Among the rest, one doctor Brook, a physician at Exeter, has £100 a year out of the salary. I think you might give these particulars in your own way to the public.[1] As to yourself, I am convinced the ministry will not venture to attack you. They dare not submit to such an enquiry. If they do, show no fear, but tell them plainly you will justify, and subpœnâ Mr Hine, Burgoyne, and Bradshaw of the Treasury—that will silence them at once.—As to the House of Commons there may be more danger. But even there I am fully satisfied the ministry will exert themselves to quash such an enquiry, and on the other side, you will have friends :—but they have been so grossly abused on all sides, that they will hardly begin with *you*.

Tell A. B. C. his paper shall be returned. I am now meditating a capital, and I hope a final piece ;—you shall hear of it shortly.[2]

No. 16.

Dec. 19, 1769.

FOR *material* affection for God's sake read *maternal;* it is in the sixth paragraph.[3] The rest is excellently done.

[1] The facts were given to the public by JUNIUS himself, in Letter XXXIV., and are indeed touched upon more than once in his subsequent letters.

[2] He refers to the Letter to the King, No. XXXV.

[3] Letter to the King, No. XXXV.

[4] This paper is supposed to have been totally suppressed, the alterations introduced into it not having perhaps satisfied the printer of his safety in publishing it, as the signal of a private communication from him to the author appeared in the P. A. of the next day.

No. 17.

SIR, *Dec.* 26, 1769.

WITH the enclosed alterations I should think our paper might appear.[4] As to embowelling, do whatever you think proper, provided you leave it intelligible to vulgar capacities ; but would not it be the shortest way at once to print it, in an anonymous pamphlet? judge for yourself. I enter sincerely into the anxiety of your situation. At the same time I am strongly inclined to think that you will not be called upon.[5] They cannot do it without subjecting Hine's affair to an enquiry, which would be worse than death to the minister. As it is, they are more seriously stabbed with this last stroke than all the rest.—At any rate, stand firm—(I mean with all the humble appearances of contrition)—if you trim or faulter, you will lose friends without gaining others. A. B. C. has done right in publishing his letter. It defends him more effectually than all his nonsense.—I believe I shall give him a lift, for I really think he has been punished infinitely beyond his merits. I doubt much whether I shall ever have the pleasure of knowing you ; but if things take the turn I expect, you shall know *me by my works*.

C.

No. 18.

(Private)

SIR, *Jan.* 12, 1770.

I DESIRED A. B. C. not to write to me until I gave him notice. He must therefore blame himself, if the detention of his papers has been inconvenient to him. Pray tell him this, and that he shall have them in a day or two. I shall also keep my promise to him,[6] but to do it imme-

[5] The printer was threatened by the minister with a prosecution for publishing the letter of JUNIUS, No. XXXIII., and the Court of King's Bench was actually moved on his behalf; but, probably for the reason mentioned above, the threat was never executed.

[6] See Letters XXXIII. and XXXVI., for an explanation of the fact and papers here referred to.

diately would be useless to *him*, and unadvisable with respect to myself. I believe you may banish your fears. The information[1] will only be for a misdemeanour, and I am advised that no jury, especially in these times, will find it. I suspect the channel, through which you have your intelligence. It will be carried on coldly. You must not write to me again, but be assured I will never desert you. I received your letters regularly, but it was *impossible* to answer them sooner. You shall hear from me again shortly.

No. 19.

(Private)

SIR, *Beginning of Feb.* 1770.

WHEN you consider to what excessive enmities I may be exposed, you will not wonder at my caution. I really have not known how to procure your last. If it be not of any great moment I would wish you to recall it. If it be, give me a hint. If your affair should come to a trial,[2] and you should be found guilty, you will then let me know what expense falls particularly on yourself; for I understand you are engaged with other proprietors. Some way or other *you* shall be reimbursed. But seriously and *bonâ fide*, I think it is impossible.

C.

[1] The information was for publishing the Letter to the King, No. XXXV., for the particulars of which see the author's Preface, and note appended to it, p. 117.

[2] The trial referred to is stated more fully in another part of this publication, and alludes to an information filed by the Attorney-General, in consequence of the printer's having published the letter of JUNIUS to the King, No. XXXV. The copy of the information was procured in Hilary term, 1770, and the trial took place at Guildhall, June 13th following. The costs to the printer in defending himself, though ultimately successful, amounted to about £120, a somewhat heavy fine for a person not found guilty.

[3] The information here referred to, is that noticed in the note to the preceding letter.

[4] The letter referred to is XXXVII.

[5] Agreed upon at a general meeting of the electors of the city and liberty of Westminster, assembled in Westminster Hall, March 28, 1770, in consequence of their petition to his Majesty, requesting him to dissolve the Parliament which had expelled Mr Wilkes, having been rejected. The following is a copy of the remonstrance:—

'The humble address, remonstrance, and petition of the electors of the city and liberty of Westminster, assembled in Westminster Hall the 28th day of March, 1770.

'We, your Majesty's most dutiful and loyal subjects, the electors of the city and liberty of Westminster, having already presented our humble, but ineffectual, application to the throne, find ourselves, by the misconduct of your Majesty's ministers, in confederacy with many of our representatives, reduced to the necessity of again breaking in by our complaints upon your

No. 20.

About Feb. 14, 1770.

I HAVE carefully perused the information.[3] It is so loose and ill-drawn, that I am persuaded Mr De Grey could not have had a hand in it. Their inserting the whole, proves they had no strong passages to fix on. I still think it will not be tried. If it should, it is not possible for a jury to find you guilty.

No. 21.

Saturday, March, 17, 1770.

TO-MORROW before twelve you shall have a JUNIUS, it will be absolutely necessary that it should be published on Monday.

Would it be possible to give notice of it to-night or to-morrow, by a dispersing a few hand-bills? Pray do whatever you think will answer this purpose best, for now is the crisis.[4]

C.

No. 22.

Sunday, March 18, 1770.

THIS letter is written wide, and I suppose will not fill two columns. For God's sake let it appear to-morrow. I hope you received my note of yesterday.

Lord Chatham is determined to go to the Hall to support the Westminster remonstrance.[5] I have no doubt that we shall conquer them at last.

C.

No. 23.

(Private)

Friday Morn. Oct. 19, 1770.

By your affected silence,[1] you encourage an idle opinion that I am the author of the *Whig*,[2] &c., though you very well know the contrary. I neither admire the writer nor his idol. I hope you will soon set this matter right.

C.

Majesty's repose, or of acquiescing under grievances so NEW and so EXORBITANT, that none but those who patiently submit to them, can deserve to suffer them.

'By the same *secret* and *unhappy* influence to which all our grievances have been originally owing, the redress of those grievances has been now prevented; and the grievances themselves have been repeatedly confirmed; with this additional circumstance of aggravation, that while the invaders of our rights remain the directors of your Majesty's councils, the defenders of those rights have been dismissed from your Majesty's service—your Majesty having been advised by your ministers to remove from his employment for his vote in Parliament, the highest officer of the law; because his principles suited ill with theirs, and his pure distribution of justice with their corrupt administration of it in the House of Commons.

'We beg leave, therefore, again to represent to your Majesty, that the House of Commons have struck at the most valuable liberties and franchises of all the electors of Great Britain; and by assuming to themselves a right of chusing, instead of receiving a member when chosen, by transferring to the representative what belonged to the constituent, they have taken off from the dignity, and, we fear, impaired the authority of Parliament itself.

'We presume again therefore humbly to implore from your Majesty, the only remedies which are any way proportioned to the nature of the evil: that you would be graciously pleased to dismiss for ever from your councils, those ministers who are ill-suited by their dispositions to preserve the principles of a free, or by their capacities to direct the councils of a great and mighty kingdom; and that by speedily dissolving the present Parliament, your Majesty will show, by your own example, and by their dissolution, that the rights of your people are to be inviolable, and that you will never necessitate so many injured, and, by such treatment, exasperated subjects to continue to commit the care of their interests to those from whom they must withdraw their confidence; to repose their invaluable privileges in the hands of those who have sacrificed them; and their trust in those who have betrayed it.

'Your subjects look up with satisfaction to the powers which the constitution has vested in your Majesty—for it is upon them that they have placed their last dependance, and they trust, that the right of dissolving Parliaments, which has, under former princes, so often answered the purposes of power, may under your Majesty prove an happy instrument of liberty.

'We find ourselves compelled to urge with the greater importunity, this our humble but earnest application to the throne, as every day seems to produce the confirmation of some old, or to threaten the introduction of some new injury.—We have the strongest reason to apprehend that the usurpation begun by the House of Commons upon the right of electing, may be extended to the right of petitioning; and that under the pretence of restraining the abuse of this right, it is meant to bring into disrepute, and to intimidate us from the exercise of the right itself.

'But whatever may be the purposes of others, your Majesty hath, in your answer to the city of London, most graciously declared, *that you are always ready to receive the requests, and to listen to the complaints of your subjects.* Your Majesty condescends likewise to esteem it *a duty to secure to them the free enjoyment of those rights which your family were called to defend.*

'We rely, therefore, upon the Royal word thus given, that our grievances will meet with full redress, and our complaints with the most favourable interpretation—that your Majesty will never consider the arraignment of your ministers as a disrespect to your person; a charge confined, by the very terms of it, to this House of Commons, as injurious to Parliament at large (the constitution of which we admire, and the abuse of which is the very thing we lament); or a request for the dissolution of Parliament, which your subjects have a right to make, and your Majesty to grant, as *irreconcileable to the principles of the constitution.*'

[1] 'The printer really did not AFFECT a silence on a CERTAIN OCCASION, with a view of encouraging his readers or correspondents in an idle opinion: the motives for his conduct were, the fear of being thought impertinent by declaring (without direction) what he knew; and the probability of rendering himself liable to incur the displeasure of either of those who were pleased to favour him with their correspondence.'—Answer to Correspondents, Oct. 25, 1770.

[2] This letter was printed in the Public Advertiser under the signature of a Whig and an Englishman, Oct. 11, 1770, and refers chiefly to the American Stamp Act, and the opinion of lord Chatham, whom the author panegyrized in very warm terms. The same writer had already published several other letters in the same name: and the printer, in compliance with the request of JUNIUS, gave the following notice:—

'*October* 20.

'The printer thinks it his duty to declare, that the Letters which have appeared in this paper under the signature of a *Whig and an Englishman*, were not written by the author of those signed JUNIUS.'

No. 24.

SIR, *Monday Evening, Nov.* 12, 1770.

THE enclosed,[1] though begun within these few days, has been greatly laboured. It is very correctly copied, and I beg you will take care that it be literally printed as it stands. I don't think you run the least risque. We have got the rascal down, let us strangle him if it be possible. This paper should properly have appeared to-morrow, but I could not compass it, so let it be announced to-morrow, and printed Wednesday. If you should have any fears, I entreat you to send it early enough to Miller, to appear to-morrow night in the London Evening Post. In that case, you will oblige me by informing the Public to-morrow, in *your own paper*, that a real JUNIUS will appear at night in the London.—Miller, I am sure, will have no scruples.

Lord Mansfield has thrown ministry into confusion, by suddenly resigning the office of Speaker of the House of Lords.

No. 25.

Wednesday Night, Nov. 21, 1770.[2]

I SHALL be very glad to hear from your friend at Guildhall.—You may, if you think proper, give my compliments to him, and tell him, if it be possible, I will make use of any materials he gives me. I will never rest till I have destroyed or expelled that wretch,—I wish you joy of yesterday.—The fellow truckles already.[3]

C.

No. 26.

Friday, 1 o'clock, Dec. 7, 1770.

I WISH it were possible for you to print the enclosed to-morrow.[4]—Observe the Italics *strictly* where they are marked. Why don't I hear from Guildhall.—If he trifles with me, he shall hear of it.[5]

C.

No. 27.

SIR, *January* 2, 1771.

I HAVE received your mysterious epistle. I dare say a letter may safely be left at the same place; but you may change the direction to Mr John Fretly. You need not advertise it.

Yours,

C.

No. 28.

Jan. 16, 1771.

YOU may assure the Public that a squadron of four ships of the line is ordered to be got ready with *all possible expedition* for the East Indies. It is to be commanded by Commodore Spry. Without regarding the language of ignorant or interested people, depend upon the assurance *I* give you, that every man in administration looks upon war as inevitable.[6]

No. 29.

Thursday, Jan. 31, 1771.

THE paper is extremely well

[1] Letter XLI. JUNIUS to the Right Hon. Lord Mansfield.

[2] On the outside of this note was written, 'the enclosed strikes deeper than you may imagine. C.' The Letter here referred to, is printed in the Miscellaneous Collection, No. LXXVIII., and is subscribed *Testiculus*.

[3] In allusion to the unanimous judgment of the Court of King's Bench, on the verdict for printing the Letter to the King, given Nov. 20th, 1770; by which lord Mansfield lost his object, and the printer was granted a new trial.

[4] The paper here referred to, is Miscellaneous Letter, No. LXXIX., signed *Domitian*, and was printed as requested.

[5] The allusion is to a communication between the writer and Mr Wilkes, which had been promised by the latter, but had not been at this time received.

[6] Inserted in the Public Advertiser, January 17, nearly in the same words. The predicted war, however, did not follow, but the preparation was actually made in the full belief, on the part of the cabinet themselves, that they would be compelled to go to war, by the existing temper of the people, irritated by the dishonourable negotiation concerning the Spanish seizure of Falkland Islands, and that they should be accused of indolence, and even cowardice, by the approaching Parliament. The session opened only four days afterwards, and the question of hostilities was so much upon a balance, that in the Lower House not fewer than 159 members divided against the minister, upon the address of thanks and approbation.

printed, and has a great effect.[1]—It is of the utmost importance to the public cause that the doors of the House of Lords should be opened on Tuesday next. Perhaps the following may help to shame them into it.

We hear that the ministry intend to move for opening the doors of both Houses of Parliament on Tuesday next, in the usual manner, being desirous that the nation should be exactly informed of their whole conduct in the business of Falkland Island.

(Next Day.)

The nation expect, that on Tuesday next at least, both Houses will be open as usual; otherwise there will be too much reason to suspect, that the proceedings of the ministry have been such as will not bear a public discussion.

We hear that the ministry intend to move, that no gentleman may be refused admittance into either House on Tuesday next. Lord North in particular thinks it touches his character, to have no part of his conduct concealed from the nation.

The resolution of the ministry to move for opening both Houses on Tuesday next does them great honour. If they were to do otherwise, it would raise and justify suspicions very disadvantageous to their own reputation, and to the king's honour.

Pray keep it up. C.

No. 30.

SIR, *Tuesday Noon, Feb.* 5, 1771.

I DID not receive your letter until this day. I shall be very glad to hear what you have to communicate.

C.

You need not advertise any notice.

No. 31.

(Private)

Monday, Feb. 11, 1771.

OUR correspondence is attended with difficulties. Yet I should be glad to see the paper you mention. Let it be left to-morrow *without farther notice.* I am seriously of opinion that it will all end in smoke.[2]

C.

No. 32.

Monday, Feb. 18, 1771.

IT you are not grown too ministerial in your politics, I shall hope to see the enclosed announced to-morrow, and published on Wednesday.[3]

No. 33.

SIR, *Feb.* 21, 1771.

IF will be very difficult, if not impracticable, for me to get your note. I presume it relates to Vindex.[4] I leave it to you

[1] It refers to Letter XLII. For the nature of the subject alluded to, see the Letter, and the notes subjoined to it; as also Miscellaneous Letter, No. LXXXVIII., and the note in explanation.

[2] In reference to a note from the Attorney-General for publishing Letter of JUNIUS, No. XLII., but which was never farther proceeded upon.

[3] This note accompanied No. XC. of the Miscellaneous Letters. The printer had some scruples about publishing the whole of it; and in the Public Advertiser of Feb. 20, gave the usual mark, 'A Letter,' that a private letter was in waiting upon this subject. In consequence of which the subsequent note was received, dated Feb. 21.

[4] The following is a copy of the letter which Mr Woodfall addressed to the author under the feigned name of Mr John Fretly, and directed it to him at the New Exchange Coffee House, in the Strand.

'SIR,

'To have deserved any portion of your good opinion, affords me no small degree of satisfaction—to preserve it shall be my constant endeavour. Always willing to oblige you as much as lies in my power, I, with great avidity, open your letters; and sometimes, without reading the contents, promise the publication.—Such is my present situation, and I hope you will not be offended at my declining to publish your letter, as I am convinced the subject of it must, if I was to insert it, render me liable to very severe reprehension. That I am not grown too ministerial in my politics, every day's paper will, I hope, sufficiently evince; though I rather hope some little regard to prudence will not by you be deemed squeamishness, or tend to lessen me in your opinion, as I shall ever think myself your

'Much obliged humble Servant,

'*Feb.* 19, 1771. 'HENRY SAMPSON WOODFALL.

to alter or omit as you think proper ;—or burn it.—I think the argument about Gibraltar,[1] &c., is too good to be lost. As to the satirical part, I must tell you (and with positive certainty), that our gracious —— is as callous as stockfish to every thing but the reproach of *cowardice*. That alone is able to set the humours afloat. After a paper of that kind he won't eat meat for a week.[2]

You may rely upon it, the ministry are sick of prosecutions. Those against JUNIUS cost the Treasury above six thousand pounds, and after all they got nothing but disgrace. After the paper you have printed to-day (signed Brutus)[3] one would think you feared nothing. For my own part I can very truly assure you that nothing would afflict me more than to have drawn you into a personal danger, because it admits of no recompence. A little expense is not to be regarded, and I hope these papers have reimbursed you. I never will send you any thing that *I* think dangerous, but the risque[4] is yours, and you must determine for yourself.

C.

All the above is private.

No. 34.

Friday Noon, April 19, 1771.

I HOPE you will approve of an-

'P. S. I shall wait your directions what to do with the paper in question, as I did not chuse to trust it under cover till I was further acquainted with your pleasure.'

[1] For the explanation of this passage, see Miscellaneous Letter, No. XC., signed *Vindex*.

[2] See p. 235, note [1].

[3] This letter was addressed to lord North, and as it is short, it is here transcribed, in proof that JUNIUS was not severe in his opinion of it, nor singularly acrimonious in the phraseology originally adopted by himself.

TO THE RIGHT HON. LORD NORTH.

MY LORD,

I never address your Lordship but I feel the utmost horror and indignation ; for I consider you as a man totally regardless of your own honour, and the welfare of your country.

The severity of a writer cannot be supposed to give your Lordship any uneasiness ; a minister, whose schemes extend only to the exigencies of a year, but little regards his present or future reputation ; yet it is a duty we owe to the public to trace out and expose the villain wherever we can perceive him working up the ruin of his country.

The choice of your friends is an eminent indication of your abilities and the blackness of your heart.

Nam quicunq ; impudicus, adulter, ganeo, alea, manu, ventre, bona patria laceravit, quique alienum æs grande conflavit, immediately flies into your arms, and reimburses himself with the plunder of his country.

Such are the guardians of our liberties and law : such are the men to whom our constitution is entrusted : and cannot we then without any particular discernment, or any remarkable acuteness of observation, trace out the origin of our present discontents ?

It would be needless to follow you through that maze of villany, in which you have long delighted to wander : I shall only attack those measures which occur to our more immediate consideration.

In what manner can you answer to your king for the scandalous prostitution of his crown and himself ?

In what manner can you answer to your country for the total disregard of its welfare and dignity ?

After all these formidable preparations ; after all this expensive armament, you have made shift to patch up a temporary ignominious compromise, at the trifling expense of about three millions, and the British honour.

You imagine yourself sufficiently secured in the pursuit of your infamous intentions, and in the practice of every illegal and unconstitutional measure, by the countenance of the king. Rely not too much on that protection. His Majesty must not be suffered, through a blind and ridiculous attachment to an individual, or through a filial obedience, which then becomes criminal, to ruin and subvert his infatuated kingdoms.

Your late acquisition of lord Suffolk will not do you much honour ; he is of the same stamp with the rest of your adherents. His Lordship has given the world a very strong impression of his character, and the disposition of his heart, by deserting his principal, and the cause in which he originally embarked, and by betraying that friendship, which in the more early and virtuous time of his life he had contracted. His former party need not regret the loss of him, for they are by his desertion disencumbered of a ——.

But I will now leave you, my Lord, to that mature insensibility which is only to be acquired by a steady perseverance in infamy.

Every principle of conscience you have long ago been hardy enough to discard. There has not been an action in the last two years of your life but what separately deserves imprisonment. The time may come ; and remember, my Lord, there is a very short period between a minister's imprisonment and his grave. BRUTUS.

[4] This peculiarity of spelling the word risk, is the author's.

nouncing the enclosed JUNIUS to-morrow,[1] and publishing it on Monday. If, for any reasons that do not occur to me, you should think it unadviseable to print it as it stands, I must entreat the favour of you to transmit it to Bingley,[2] and satisfy him that it is a real JUNIUS, worth a North Briton Extraordinary. It will be impossible for me to have an opportunity of altering any part of it.

I am, very truly, your friend,

C.

No. 35.

Thursday, June 20, 1771.

I AM strangely partial to the enclosed.[3] It is finished with the utmost care. If I find myself mistaken in my judgment of this paper, I positively will never write again.

C.

Let it be announced to-morrow, JUNIUS to the duke of Grafton for Saturday.

I think Wilkes has closed well. I hope he will keep his resolution not to write any more.[4]

No. 36.

July 16, 1771.

TO prevent any unfair use being made of the enclosed, I entreat you to keep a copy of it. Then seal and deliver it to Mr Horne. I presume you know where he is to be found.[5]

C.

No. 37.

August 13, 1771.

PRAY make an erratum for *ultimate* in the paragraph about the duke of Grafton, it should be *intimate*. The rest is very correct.[6] If Mr Horne answers this letter handsomely and in point, he shall be my great Apollo.

No. 38.

Wednesday Noon, Sept. 25, 1771.

THE enclosed is of such importance, so very material, that it *must* be given to the public immediately.[7]

I will not advise;—though I think you perfectly safe:—all I say is that *I rely* upon your care to have it printed either to-morrow in your own paper, or to-night in the Pacquet.

I have not been able to get yours from that place, but you shall hear from me soon.

No. 39.

About Nov. 5, 1771.

YOUR reasons are very just about printing the Preface, &c. It is your own

[1] Letter XLIV., which was printed as requested.

[2] The printer of the North Briton.

[3] Letter XLIX., to the duke of Grafton.

[4] In allusion to the dispute between Mr Wilkes and Mr Horne, conducted with great acrimony, till the former resolved, as here advised, not to answer after a definite period any additional letters, in consequence of the total occupation of his time in his canvass for the office of Sheriff of London, for which he was then a candidate, and to which situation he ultimately succeeded. The following is the conclusion of the letter here spoken of, which was, of course, addressed to Mr Horne.

'Whether you proceed, Sir, to a *thirteenth*, or a *thirtieth* letter, is to me a matter of the most entire indifference. You will no longer have me your correspondent. All the efforts of your malice and rancour cannot give me a moment's disquietude. They will only torment your own breast. I am wholly indifferent about your sentiments of me, happy in the favourable opinion of many valuable friends, in the most honourable connexions, both public and private, and in the prospect of rendering myself eminently useful to my country. Formerly in exile, when I was *urbe patriaque extorris*, and torn from every sacred tie of friendship, I have moistened my bread with my tears. The rest of my life I hope to enjoy my morsel at home in peace and cheerfulness, among those I love and honour, far from the malignant eye of the false friend and the insidious hypocrite.

'I am, Sir,

'Your humble servant,

'JOHN WILKES.'

[5] Note enclosing JUNIUS's Letter to the Rev. Mr Horne, No. LII.

[6] Letter LIV. This letter appeared on the 13th of August, 1771, though in the author's edition it is by mistake dated the 15th.

[7] The Letter referred to is No. LVII., and was printed in the Public Advertiser, Saturday, Sept. 28th, 1771.

N°. 40.

friday / the above sh. be printed Conspicuously tomorrow to that Scotchman

At last I have concluded my great Work, & I assure You with no small labour. I wo. have You begin to advertise immediately, & publish before the meeting of parlt. let all the my papers in defence of Jun. s be inserted I shall now supply You very fast with Copy & Notes. The paper & type sh. at least be as good as Wheble's. — You must correct the press Yourself, but I sh. be glad to see Corrected proofs of the 2 first Sheets.

Shew the Dedication & preface to Mr Wilkes, and if he has any material Objection, let me know. I say material because of the difficulty of getting Your letters.

The dedication must stand at first.

secret
beware of David Garrick. he was sent to pump You, & went directly to Richmond to tell the king I sh. write no more.

N°. 41. To Mr David Garrick.

I am very exactly informed of Your impertinent inquiries & of the information You so busily went to Richmond, & with what triumph & exultation it was received. I knew every particular of it the next day. — Now mark me, Vagabond. — keep to your pantomimes, or be assured you shall hear of it. Meddle no more, thou busy informer! — It is in my power to make you curse the hour, in which You dared to interfere with Junius.

I wo. send the above to Garrick, directly but that I wo. avoid having this hand too commonly seen Oblige me then so much as to have it copied in any hand, & sent by the penny post, that is, if you dislike sending it in Your own writing. — I must be more cautious than ever. I am sure I am sh. not survive a discovery three days, or if I did, they wo. attaint me by bill. Change to the somerset Coffee house, & let no mortal know the Alteration I am persuaded You are too honest a man to contribute in any way to my destruction. ~~Secret~~ Act honorably by me, & at a proper time You shall know me.

I think the second page, with the widest lines, looks best. — What is Your essential reason for the change. I send You some more sheets. — I think the paper is not so good as Wheble's — but I may be mistaken, — the type is good The aspersions thrown upon my Lee & the Bill of Rts. sh. be refuted by publication. prevail upon Mr Wilkes to let you have Extracts of my 2 & 3. letter to him. It will make the book still more new. — I wo. see them before they are printed, but keep this Last to Yrself.

To Mr Woodfall

Private & particular

affair. Do whatever you think proper. I am convinced the book will sell, and I suppose will make two volumes,—the type might be one size larger than Wheble's.[1] But of all this you are the best judge. I think you should give money to the waiters at that place to make them more attentive.[2] The notes should be in a smaller type.

Pray find out, if you can, upon what day the late duke of Bedford was flogged on the course at Litchfield by Mr Heston Homphrey.[3]

No. 40.

Friday, Nov. 8, 1771.

THE above to that Scotchman should be printed conspicuously to-morrow.[4] At last I have concluded my great work, and I assure you with no small labour. I would have you begin to advertise immediately, and publish before the meeting of parliament. Let all *my* papers in defence of JUNIUS be inserted.[5] I shall now supply you very fast with copy and notes. The paper and type should at least be as good as Wheble's. You must correct the press yourself, but I should be glad to see corrected proofs of the two first sheets. Show the Dedication and Preface to Mr Wilkes, and if he has any *material* objection, let me know. I say *material* because of the difficulty of getting your letters.

C.

(Secret)

Beware of David Garrick.[6] He was sent to pump you, and went directly to Richmond to tell the king I should write no more. The Dedication must stand first.

No. 41.

TO MR DAVID GARRICK.

Nov. 10, 1771.

I AM very exactly informed of your impertinent inquiries, and of the information you so busily sent to Richmond, and with what triumph and exultation it was received. I knew every particular of it the next day.—Now mark me, vagabond.—Keep to your pantomimes, or be assured you shall hear of it. Meddle no more, thou busy informer!—It is in *my* power to make you curse the hour in which you dared to interfere with JUNIUS.[7]

[1] The present respectable proprietor and publisher of the County Chronicle, who took a conspicuous part in the dispute with the House of Commons respecting the publication of their debates, for an account of which, see p. 471, note.

[2] A coffee-house at which letters, &c., were left for JUNIUS.

[3] See Letter XXIII., p. 190, note.

[4] See Letter LXVI.

[5] The Letters signed *Philo Junius:* those numbered LXIII. and LXIV. and the extracts from the Letters to the Supporters of the Bill of Rights.

[6] Garrick had received a letter from Woodfall just before the above note of JUNIUS was sent to the printer, in which Garrick was told, in confidence, that there were some doubts whether JUNIUS would continue to write much longer. Garrick flew with the intelligence to Mr Ramus, one of the pages to the king, who immediately conveyed it to his Majesty, at that time residing at Richmond, and from the peculiar sources of information that were open to this extraordinary writer, JUNIUS was apprized of the whole transaction on the ensuing morning, and wrote the above postscript, and the letter that follows it, in consequence.

[7] Mr Garrick had, before this period, been threatened for his supposed political bias to the court, as will appear from a charge which Mr Horne brought forward against Mr Wilkes, during the personal altercation which took place between them in the months of May and June preceding the date of this letter, and which is more particularly noticed in the note to Letter LII., p. 279. Mr Horne's accusation is as follows:—

'Whilst Mr Wilkes was in the King's Bench, he sent a threatening message to Mr Garrick to forbid his playing the part of *Hastings* in the tragedy of *Jane Shore;* on account of some lines in that play which Mr Wilkes thought applicable to his own situation. Mr Garrick complained exceedingly of the cruelty of such an interdict, and wished to be permitted to proceed in his endeavours to please the public in the common course of his profession. The patriot was inexorable; and Mr Garrick has not appeared in that character since. The *Lord Chamberlain's* control by Act of Parliament over the pleasures of the public is exercised only over new plays.'

To this charge Mr Wilkes replied as follows, offering several justly merited compliments to the hitherto unrivalled genius of Mr Garrick.

'TO THE REV. MR HORNE.

'SIR, *Prince's Court, Thursday, June* 6, 1771.

'Your *ninth* Letter has relieved me not a little by taking me to the theatre, and recalling

I would send the above to Garrick directly, but that I would avoid having this hand too commonly seen. Oblige me, then, so much as to have it copied in any hand, and sent by the penny post, that is, if you dislike sending it in your own writing.—I must be more cautious than ever. I am sure I should not survive a discovery three days; or, if I did, they would attaint me by bill. Change to the *Somerset Coffee-house*, and let no mortal know the alteration. I am persuaded you are too honest a man to contribute in any way to my destruction. Act honourably by me, and at a proper time you shall know me.

I think the second page, with the widest lines, looks best. What is your essential reason for the change?[1] I send you some more sheets.—I think the paper is not so good as *Wheble's*,—but I may be mistaken—the type is good. The aspersions thrown upon my letter to the Bill of Rights[2] should be refuted by publication.

Prevail upon Mr Wilkes to let you have extracts of my second and third letters to him. It will make the book still more new.

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to my delighted remembrance the amazing powers both of nature and art in the most wonderful genius that ever trod the English, or perhaps any stage, for his rival, Roscius, had a great defect, *erat perversissimis oculis*. You say 'whilst Mr Wilkes was in the King's Bench,' &c. The whole of this pompous tale is, that some warm friends of Mr Wilkes imagined that Mr Garrick acted the part of *Hastings* at that time in a manner very different from what he had usually done, and marked too strongly some particular passages, unfavourable to the generous principles, and to the friends, of freedom. They talked of expressing their disapprobation in the theatre, at the next representation of *Jane Shore*, and likewise in the public prints. Mr Wilkes therefore thought it prudent to state the case by two or three gentlemen to Mr Garrick himself, and said, he *feared* the part of *Hastings* might bring on many disagreeable consequences to the great actor himself as well as to Mr Wilkes and his connexions, if continued in the manner then stated. Mr Garrick received the friendly admonition in the most friendly way, but declared that the gentlemen, who had given Mr Wilkes the account of his acting *Hastings*, had greatly mistaken, that he had not made the least alteration in the usual manner of acting that part on account of the political disputes of the times, but been solely guided by his own feelings: that he always had acted that part, and always should play it in the same manner, not however slavishly copying himself, but with all the variety which from time to time his genius might dictate, preserving still the cast and spirit of the original character. Nothing more passed on this subject between Mr Garrick and me, nor has that gentleman ever expressed the slightest displeasure against Mr Wilkes, or his friends; so far has he been from *complaining exceedingly of the cruelty of an interdict*, which never existed.

'Did it escape your memory, Sir, that one of the objections made at that time by my friends, was the peculiar emphasis Mr Garrick was said to give to the following lines of *Hastings*, which some *thought applicable to your situation*:—

Ill befall
Such *meddling priests*, who kindle up confusion,
And vex the quiet world with their *vain scruples:*
By heaven 'tis done in perfect spite to peace.

"You say, 'I think with half his (Mr Garrick's) merit I should have had twice his courage." If you mean *theatrical merit*, I can tell you of some parts, in which you would infinitely exceed our great English actor. I mean all those parts from which—*fugiunt Pudor, Verumque, Fidesque. In quorum subeunt locum Fraudes, Dolique, Insidiæque, &c. &c. You* would *act, and be Iago* with success. Mr Garrick has that *in him*, which must ever prevent his acting well in that character. You have that *in you*, which would make it easy and natural. *Shylock* too our Roscius must never attempt. The Christian priest of Brentford has no *vain scruples* to prevent his undertaking and being applauded in that part. He might then talk of *dying his black coat red with blood* in an innocent way on the stage, which at Brentford inspired a savage horror.

'The pleasing hours, which Mr Garrick gave me at the King's Bench, I have deducted from the injury of a long and cruel imprisonment, and I think of him as Cicero did of the great Roman Actor, *cum artifex ejusmodi sit, ut solus dignus videatur esse, qui in scena spectetur; tum vir ejusmodi est, ut solus dignus videatur, qui eo non accedat.*

'I am, &c.,
'JOHN WILKES.'

[1] In allusion to a specimen of the intended genuine edition of the Letters.

[2] In the correspondence which took place between Mr Wilkes and JUNIUS, two of his letters related to the Bill of Rights Society, and were written in disapprobation of several of their measures. These letters were, in many respects, misrepresented to the public, and in his own opinion, *purposely* so by Mr Horne. The explanatory extracts here referred to, were re-published at the close of the second volume of the genuine edition, and will be found at end of Letter LXIX. The letters are given at length in the private correspondence between JUNIUS and Mr Wilkes, Nos. 66 and 70.

I would see them before they are printed, but keep this last to yourself.[1]

No. 42.

Nov. 11, 1771.

PRINT the following as soon as you think proper, and at the head of your paper.[2]

I sent you three sheets of copy last night.

When you send to me, instead of the usual signal, say, *Vindex shall be considered*, and keep the alteration a secret to everybody.

No. 43.

About Nov. 15, 1771.

IF you can find the date of the duke of Bedford's flogging, insert it in the note.[3] I think it was soon after the Westminster election.—The *Philos* are not to be placed as notes, except where I mention it particularly. I have no doubt of what you say about David Garrick—so drop the note. The truth is, that in order to curry favour, he made himself a greater rascal than he was. Depend upon what I tell you;—the king understood that he had found out the secret by his own cunning and activity.—As it is important to deter him from meddling, I desire you will tell him that I am aware of his practices, and will certainly be revenged, if he does not desist. An appeal to the public from JUNIUS would destroy him.

Let me know whether Mr Wilkes will give you the extracts.[4]

I cannot proceed without answers to those seven queries.

Think no more of Junius Americanus.[5]—Let him reprint his letters himself. He acts most dishonourably, in suffering JUNIUS to be so traduced; but this falsehood will all revert upon Horne. In the mean time, I laugh at him.

With submission I think it is not your interest to declare that I have done.

As to yourself, I really think you are in no danger. *You* are not the object, and punishing *you* (unless it answered the purpose of stopping the press) would be no gratification to the king. If undesignedly I should send you anything you may think dangerous, judge for yourself, or take any opinion you think proper. You cannot offend or afflict me but by hazarding your own safety. They talk of farther informations, but they will always hold that language *in terrorem*.

Don't always use the same signal—any absurd Latin verse will answer the purpose.[6]

Let me know about what time you may want more copy.

Upon reflection, I think it absolutely necessary to send that note to D. G.,[7] only say *practices* instead of *impertinent inquiries*. I think you have no measures to keep with a man who could betray a confidential letter, for so base a purpose as pleasing * * * * * * * * * * *. Tell me how long it may be before you want more copy.—I want rest most severely, and am going to find it in the country for a few days. Cumbriensis[8] has taken greatly.

No. 44.

Nov. 27, 1771.

THE postscript to Titus must be omitted.[9]—I did never question your under-

[1] On the outside of this letter was written 'private and particular.'

[2] Certain paragraphs relating to the marriage of the late duke of Cumberland, inserted in the Preliminary Essay, p. 12.

[3] See note to Letter XXIII., p. 190.

[4] Referred to in the last paragraph of No. 41.

[5] Junius Americanus was a frequent writer in the Public Advertiser during the years 1769, 1770, and 1771. His letters chiefly related, as his signature readily suggests, to the disputes of the cabinet with the American colonies; and, in the course of his strictures, he attributed to JUNIUS doctrines, in relation to their dependence on the legislature of Great Britain, which he had never avowed, nor even inclined to. At this time there was some idea of publishing them collectively. They were written by a Dr Charles Lee, as may be seen by a reference to the private correspondence between JUNIUS and Mr Wilkes, No. 69.

[6] See Preliminary Essay, p. 14.

[7] David Garrick. See No. 41.

[8] See Miscellaneous Letter, No. CII. It was printed in the Public Advertiser, Nov. 13, 1771, upon the marriage of the late duke of Cumberland with Mrs Horton, the sister of col. Luttrell.

[9] His postscript addressed to Titus was added

standing. Far otherwise. The Latin word *simplex* conveys to me an amiable character, and never denotes folly. Though we may not be deficient in point of capacity, it is very possible that neither of us may be cunning enough for Mr Garrick. But with a sound heart, be assured you are better gifted, even for worldly happiness, than if you had been cursed with the abilities of a Mansfield. After long experience of the world, I affirm before God, I never knew a rogue who was not unhappy.

Your account of my letter to the Bill of Rights astonishes me. I always thought the misrepresentation had been the work of Mr Horne.[1] I will not trust myself with suspecting. The remedy is in my own hands, but, for Mr Wilkes's honour, I wish it to come freely and honourably from himself. Publish nothing of mine until I have seen it. In the mean time be assured, that nothing can be more express, than my declaration against long parliaments.—Try Mr Wilkes once more.—Speak for me in a most friendly but *firm* tone.—That I *will not* submit to be any longer aspersed.—Between ourselves let me recommend it to you to be much upon your guard with patriots. —I fear your friend Jerry Dyson will lose his Irish pension.[2] Say received.

In page 25, it should be *the* instead of your.[3] This is a woeful mistake;—pray take care for the future—keep a page for errata.

David Garrick has literally forced me to break my resolution of writing no more.[4]

No. 45.

Dec. 5, 1771.

THESE papers are all in their exact order. Take great care to keep them so. In a few days more I shall have sent you all the copy. You must then take care of it yourself, except that I must see proof sheets of the Dedication and Preface, and these, if at all, I must see before the end of next week. You shall have the extract to go into the second volume, it will be a short one. Scævola, I see, is determined to make me an enemy to lord Camden.[5] If it be not wilful malice, I beg you will signify to him, that when I originally mentioned lord Camden's declaration about the Corn Bill, it was without any view of discussing that doctrine, and only as an instance of a singular opinion maintained by a man of great learning and integrity. Such an instance was necessary to the plan of my letter. I think he has in effect injured the man whom he meant to defend.

When you send the above-mentioned proof sheets, return my own copy with them.

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to his letter to sir Wm Draper of Feb. 21, 1769, Letter V. It engaged to give Titus a severe castigation for having written with some degree of acrimony on the same side as the Knight of the Bath. The engagement, however, was not fulfilled under his signature of JUNIUS, and hence the propriety of omitting the postscript in question in his own edition. See further on this subject, note to Letter IV., in which Titus's letter is inserted.

[1] He here admits that he was mistaken in the conjecture that *Horne* had misrepresented the sentiments conveyed in his letters to the Bill of Rights Society. Yet as he published the same opinion in his own edition, which is reprinted in Letter LXIX., he must afterwards have had fresh grounds for re-accrediting it, while in the present letter he seems more than half to suspect Wilkes himself.

[2] He feared with reason. Jeremiah Dyson, Esq., was one of the lords of the admiralty, and in Feb. 1770, resigned his seat in favour of our late lamented foreign minister Mr Fox, upon an Irish pension of £1500 per annum for his own life, and that of his three sons. The following is an account of the mode in which he lost it:

'In a committee of supply of the House of Commons of Ireland, Nov. 25, 1771, after a long debate the question was put, and, on a division, it was carried against the pension, by a majority of *one*, the numbers being for it 105, against it 106; on which the House immediately resolved, "That the pension granted to Jeremiah Dyson, Esq., and his three sons, is an unnecessary charge upon the establishment of Ireland, and ought not to be provided for." Ordered, "That the said pension be struck off the list of pensioners upon the establishment of Ireland." For the late Mr Flood's speech upon this subject, see Preliminary Essay, p. 52.

[3] In the opening of Letter III., it was originally printed in the genuine edition, 'Your defence,' &c. In the present edition the correction has been duly adopted.

[4] The letter alluded to is LXVII.

[5] For further particulars of this dispute, see Letter LX.

No. 46.

Dec. 10, 1771.

THE enclosed completes all the materials that I can give you. I have done *my* part. Take care *you* do yours. There are still two letters wanting, which *I expect you will not fail* to insert in their places. One is from Philo Junius to Scævola about lord Camden, the other to a Friend of the People about pressing.[1] They must be in the course of October.—I have no view but to serve you, and consequently have only to desire that the Dedication and Preface may be correct. Look to it. If you take it upon yourself, I will not forgive your suffering it to be spoiled. I weigh every word; and every alteration, in my eyes at least, is a blemish.

I should not trouble you or myself about that blockhead Scævola, but that his absurd fiction of *my* being lord Camden's enemy has done harm.—Every fool can do mischief; therefore signify to him what I said. Garrick has certainly betrayed himself, probably * * * * * * * *, who makes it a rule to betray everybody that confides in him. That new disgrace of Mansfield is true:[2] what do you mean by affirming that the Dowager is better? I tell you she suckles toads from morning till night.[3] I think I have now done my duty by you, so farewel.

No. 47.

Dec. 17, 1771.

MAKE your mind easy about me. I believe you are an honest man, and I never am angry.[4]—Say to-morrow 'We are desired to inform Scævola, that his private note was received with the most profound indifference and contempt.'[5] I see his design. The duke of Grafton has been long labouring to detach Camden. This Scævola is the wretchedest of all fools, and dirty knave.

Upon no account, nor for any reason

[1] These two letters are numbered *Philo Junius*, LX. and LXII.

[2] The allusion is to a cause which was tried at the Summer Assizes for the County of Surry, in 1771, Meares and Shepley against Ansell, for a trespass, in which his Lordship was supposed to have given a very partial charge in favour of the Defendant, who thereby obtained a verdict. The Plaintiffs, however, on the Michaelmas Term following, moved the Court of Common Pleas for a new trial, on the ground of the misdirection of the judge. The judge was called upon for his report, which he could not make without sending to the Plaintiffs' attorney for his affidavit of the transaction.—He made his report at last, to which he subjoined that he was perfectly satisfied with the verdict of the jury.—The Court of Common Pleas was clearly of opinion, that Lord Mansfield had acted contrary to every principle of evidence both in law and equity, in admitting Matthews and Hiscox to give parol evidence, contrary to a clear explicit agreement in writing, which they had attested—and asserted that, if such a practice was to obtain, it would go a great way towards subverting the Statute of Frauds and Perjuries, and would be a most dangerous inlet to perjury, and a means of rendering men's properties very precarious and insecure. The Court therefore set aside the verdict, and ordered a new trial; and it appeared to the Court to be so gross a misdirection, that it dispensed with the usual terms of payment of costs. Although lord Mansfield, in his direction to the jury, represented the trespasses as small and insignificant, and the action as litigious, the Court of Common Pleas said the trespasses were obstinate, wilful, and malicious.

Mr Rowlinson, the Plaintiffs' attorney, felt so dissatisfied with the conduct of lord Mansfield upon the occasion, that in the same term a motion was made at his instigation, to have his name struck off the Rolls of the Court of King's Bench, which, as a motion of course, was acquiesced in, when he was immediately admitted into the Common Pleas.

[3] He refers to the following paragraph, which appeared in the Public Advertiser, Dec. 6, 1771:—

'We have the pleasure to assure the public, from the most undoubted authority, that the repeated accounts of her Royal Highness the Princess Dowager of Wales being very ill, and her life in great danger, are entirely false, such reports being only calculated to promote the shameful spirit of gambling, by insurance on lives.' The Princess Dowager was at this time afflicted with a cancer, and died on the 8th of January in the following year.

[4] He had received a note from Mr Woodfall, vindicating himself from any improper motive in his communication to Mr Garrick, which has been already referred to.

[5] The information to *Scævola* was duly communicated in the Public Advertiser: and the flippancy of this writer's style, and the coquetry of his political attachments, fully merited the contempt here expressed for him.

whatsoever are you to write to me, until I give you notice.

When the book is finished, let me have a set bound in vellum, gilt, and lettered JUNIUS I. 2. as handsomely as you can—the edges gilt. Let the sheets be well dried before binding.—I must also have two sets in blue paper covers. This is all the fee I shall ever desire of you. I think you ought not to publish before the second week in January.

The London Packet is not worth our notice. I suspect Garrick, and I would have you hint so to him.

No. 48.

6 January, 1772.

I HAVE a thing to mention to you in great confidence. I expect your assistance, and rely upon your secrecy.

There is a long paper ready for publication, but which must not appear until the morning of the meeting of parliament, nor be announced in any shape whatsoever.[1] Much depends upon its appearing unexpectedly. If you receive it on the 8th or 9th instant, can you in a day or two have it composed, and two proof sheets struck off and sent me; and can you keep the press standing ready for the Public Advertiser of the 21st, and can all this be done with such secrecy that none of your people shall know what is going forward, except the composer, and can you rely on *his* fidelity? Consider of it, and, if it be possible, say YES, in your paper to-morrow.

I think it will take four full columns at the least, but I undertake that it shall sell. —It is essential that I should have a proof sheet, and correct it myself.

Let me know if the books are ready that I may tell you what to do with them.

No. 49.

Saturday, January 11, 1772.

YOUR failing to send me the proofs, as you engaged to do, disappoints and distresses me extremely.[2] It is not merely to correct the press (though even that is of consequence), but for another most *material purpose*.[3] This will be entirely defeated, if you do not let me have the two proofs on Monday morning.

The paper itself, is, in *my* opinion, of the highest style of JUNIUS, and cannot fail to sell.—My reason for not announcing it was that the party might have no time to concert his measures with the ministry. But, upon reflection, I think it may answer better (in order to excite attention) to advertise it the day before, JUNIUS *to lord chief justice Mansfield to-morrow.*

Quoting from memory, I have made a mistake about Blackstone, where I say *that he confines the power to the Court, and does not extend it to the Judges separately.* Those lines must be omitted.—The rest is right.—If you have any regard for me, or for the cause, let nothing hinder your sending the proofs on Monday.

No. 50.

January 16, 1772.

I RETURN you the proof, with the errata, which you will be so good as to correct carefully. I have the greatest reason to be pleased with your care and attention, and wish it were in my power to render you some essential service.—Announce it on Monday.

No. 51.

(Private)

Saturday, Jan. 18, 1772.

THE gentleman[4] who transacts the conveyancing part of our correspondence tells me there was much difficulty last night. For this reason, and because it could be no way material for me to see a paper on Saturday which is to appear on Monday, I

[1] Letter to Lord Mansfield. Letter LXVIII.
[2] Of Letter LXVIII. referred to in the preceding letter.
[3] He seems to allude to a promise, or expectation, of legal assistance from some friendly quarter.
[4] Of this gentleman nothing is known.

had resolved not to send for it.—Your hint of this morning, I suppose, relates to this.[1] —I am truly concerned to see that the publication of the book is so long delayed.—It ought to have appeared before the meeting of parliament.—By no means would I have you insert this long letter, if it made more than the difference of two days in the publication. Believe me the delay is a real injury to the cause. The letter to M.[2] may come into a new edition.

Mr Wilkes seems not to know that Morris published that letter.[3]—I think you should set him right.

No. 52.

January 25, 1772.

HAVING nothing better to do, I propose to entertain myself and the public with torturing that * * * * * * * * * * Barrington. He has just appointed a French broker his deputy, for no reason but his relation to Bradshaw.[4] I hear from all quarters, that it is looked upon as a most impudent insult to the army.—Be careful not to have it known to come from me. Such an insignificant creature is not worth the generous rage of JUNIUS. I am impatient for the book.

No. 53.

Monday, Feb. 3, 1772.

I CONFESS I do not see the use of the table of contents. I think it will be endless and answer no purpose ;—An index of proper names and materials would in my opinion be sufficient.—You may safely defy the malice of Mr Wheble.[5] Whoever buys such a book will naturally prefer the Author's Edition, and I think it will always be a book for sale. I really am in no hurry about that set. Purling, I hear, is to come in for Eastlow.—A sure proof of the connexion between him and government.[6] I would have you open any thing that may be brought to you for me (except from Mr Wilkes)—and not forward it unless it be material.

That large roll contained a Pamphlet.

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[1] '*Mutare necessarium est.*' Answer to correspondents, Jan. 18th, 1772.

[2] Letter LXVIII.

[3] Mr Robert Morris was a barrister, who took a very active part in the city disputes, and on the popular side, and was secretary to the Bill of Rights' Society. For a further account of him, see note to Miscellaneous Letter, No. XCIII., p. 475. He occasionally wrote in the P. A. The publication of the letter alluded to, Wilkes had attributed to a Mr Cawdron. See Private Letter, No. 82.

[4] Mr Chamier, brother-in-law to Bradshaw, the duke of Grafton's private secretary, here, and elsewhere, so slightingly mentioned by JUNIUS, is thus undervalued solely as a mode of attacking lord Barrington. He was not a mere broker in the Alley, preferred only for the chicanery which may be learned there. We are told by Sir John Hawkins, in his entertaining life of *Johnson*, that Mr Chamier was selected by the sage as one of the original nine composing his club at the Turk's Head in Gerard Street. 'He was descended from a French refugee family. Having had a liberal education, his deportment and manner of transacting the business of a stock-broker, distinguished him greatly from most others of that calling. He was well skilled in the modern languages, particularly the Spanish, in the study whereof he took great delight. He had acquired such a fortune as enabled him, though young, to quit business, and become, what indeed he seemed by nature intended for, a gentleman. This club was instituted in 1763.

Mr DYER, upon his return from Germany, where he had been a commissary with the army, was allowed to become the tenth member. Perhaps it may not be unimportant to show that thus Mr Chamier was well known to Mr Burke and to Mr Dyer, at the time when JUNIUS began to write, and was an esteemed member of the club, of which they were distinguished ornaments. The reader, even in a political work, may not be displeased to see the names recorded of men, who thus met for social objects, and among whom politics never intruded.

Dr Johnson,	Sir John Hawkins,
Sir Joshua Reynolds,	Mr Topham Beauclerk,
Mr Edmund Burke,	Bennet Langton,
Christ. Nugent, M.D.	Anthony Chamier,
Oliver Goldsmith, M.B.	Samuel Dyer.

[5] Wheble had already reprinted an imperfect edition of the Letters of JUNIUS, but certainly without any intention of injuring the original publisher of them. The word malice, as applied to Mr Wheble, merely meant rivalry. See Priv. Lett. No. 56.

[6] John Purling, Esq., one of the directors of the East India Company, who took a very active part in their affairs, at that period.

No. 54.

Monday, Feb. 10, 1772.

If you have any thing to communicate, you may send it to the original place for once N.E.C.—and mention any new place you think proper, West of Temple Bar. The delay of the book spoils every thing.

No. 55.

Monday Night, Feb. 17, 1772.

Surely you have misjudged it very much about the book. I could not have conceived it possible that you could protract the publication so long.—At this time, particularly before Mr Sawbridge's motion,[1] it would have been of singular use. You have trifled too long with the public expectation.—At a certain point of time the appetite palls.—I fear you have already lost the season.—The book, I am sure, will lose the greatest part of the effect I expected from it.—But I have done.

No. 56.

About Feb. 22, 1772.

I do you the justice to believe that the delay has been unavoidable. The expedient you propose of printing the Dedication and Preface in the P. A. is unadvisable. The attention of the public would then be quite lost to the book itself. I think your rivals will be disappointed. Nobody will apply to *them* when they can be supplied at the fountain head. I hope you are too forward to have any room for that letter of Domitian,[2] otherwise it is merely indifferent. The Latin I thought much superior to the English.—The intended bill, in consequence of the message, will be a most dangerous innovation in the internal policy of this country.[3]—What an abandoned prostituted idiot is your lord mayor.[4] The shameful mismanagement which brought him into office, gave me the first and an unconquerable disgust.—All I can now say is make haste with the book.—

C.

The appointment of this broker [5] I am told gives universal disgust. That * * * * * * * * * * * * [6] would never have taken a step apparently so absurd, if there were not some wicked design in it, more than we are aware of. At any rate the broker should be run down. That at least is due to his master.

No. 57.

Saturday, 29, *Feb.* 1772.

I am very glad to see that the book will be out before Sawbridge's motion. There is no occasion for a mark of admiration at the end of the motto. But it is of no moment whatsoever. When you see Mr W. pray return him my thanks for the trouble he has taken. I wish he had taken more.[7]—I should be glad to have a set, sewed, left at the same place to-morrow evening. Let it be well sealed up.

C.

No. 58.

Tuesday, March 3, 1772.

Your letter was twice refused last night, and the waiter as often attempted to see the person who sent for it.—I was impatient to see the book, and think I had a right to that attention a little before the general publication.[8] When I desired to have two sets sewed, and one bound in

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[1] In favour of triennial parliaments, as already noticed in a note to the Preliminary Dissertation.

[2] This letter, for the reason here stated, was not printed in the genuine edition.

[3] The bill here spoken of is the Royal Marriage Act.

[4] In allusion to the partial and impolitic conduct of Mr Nash, at this time lord mayor, upon the common questions of city politics brought before him, especially in refusing to call a common hall, agreeably to a request very generally signified to him for this purpose.

[5] Chamier. [6] Lord Barrington.

[7] Mr Wilkes, at the request of Junius, perused and revised the Dedication and Preface to the genuine edition of the letters.

[8] The genuine edition of the letters was published on the third of March, 1772.

vellum, it was not from a principle of œconomy. I despise such little savings, and shall still be a purchaser.—If I was to buy as many sets as I want, it would be remarked.

Pray let the *two* sets be well parcelled up and left at the bar of Munday's Coffee-house, Maiden Lane, with the same direction, and with orders to be delivered to a chairman who will ask for them in the course of to-morrow evening. Farewel.

No. 59.

Thursday, March 5, 1772.

YOUR letters with the books are come safe to hand. The difficulty of corresponding arises from situation and necessity, to which we must submit. Be assured I will not give you more trouble than is unavoidable.—If the vellum books are not yet bound, I would wait for the index. If they are, let me know by a line in the P.A. —When they are ready, they may safely be left at the same place as last night.

On *your* account I was alarmed at the price of the book.—But of the sale of books I am no judge, and can only pray for your success.—What you say about the profits[1] is very handsome. I like to deal with such men. As for myself, be assured that I am far above all pecuniary views, and no other person, I think, has any claim to share with you. Make the most of it therefore, and let all your views in life be directed to a solid, however moderate, independence. Without it no man can be happy, nor even honest.—

If I saw any prospect of uniting the city once more, I would readily continue to labour in the vineyard. Whenever Mr Wilkes can tell me that such an union is in prospect, he shall hear of me.

Quòd si quis existimat me aut voluntate esse mutatâ, aut debilitatâ virtute, aut animo fracto, vehementer errat. Farewel.

In the Preface, p. 20, line 7, read unseasonable; p. 26, line 18, read accuracy.[2]

No. 60.

May 4, 1772.

IF *pars pro toto*[3] be meant for me, I must beg the favour of you to recall it. At present it would be difficult for me to receive it.—When the books are ready, a Latin verse will be sufficient.

No. 61.

Sunday, May 3, 1772.

I AM in no manner of hurry about the books. I hope the sale has answered. —I think it will always be a saleable book. The enclosed is fact, and I wish it could be printed to-morrow. It is not worth announcing. The proceedings of this wretch are unaccountable. There must be some mystery in it which I hope will soon be discovered to his confusion.—Next to the duke of Grafton, I verily believe that the blackest heart in the kingdom belongs to lord Barrington.[4]

No. 62.

May 10, 1772.

PRAY let this be announced, *Memoirs of Lord Barrington in our next.*[5] Keep the author a secret.

No. 63.

19, *January* 1773.

I HAVE seen the signals thrown out for your old friend and correspondent.

[1] Woodfall made JUNIUS an offer of half the profits of the book, or if he should decline accepting them for himself, to give a sum of money equal to their amount, to any charity which he should chuse to name.

[2] These errors are corrected in the present edition.

[3] A line in the printer's notice to correspondents, introduced as a signal that a letter, or parcel, was in waiting for him at the usual place.

[4] This note accompanied the letter signed *Scotus*, addressed to his Lordship, and was printed as requested. See Miscellaneous Letters, No. CXI. The Autograph is still in the hands of the proprietor of this edition.

[5] The annunciation under this title, appeared in the notice to correspondents, Public Advertiser, May 11, and the Memoirs were printed in a letter bearing the signature of *Nemesis*. May 12. See Miscellaneous Letter, No. CXIII.

Be assured that I have had good reason for not complying with them. In the present state of things, if I were to write again, I must be as silly as any of the horned cattle, that run mad through the city, or as any of your wise aldermen. I meant the cause and the public. Both are given up. I feel for the honour of this country, when I see that there are not ten men in it, who will unite and stand together upon any one question. But it is all alike, vile and contemptible.

You have never flinched that I know of; and I shall always rejoice to hear of your prosperity.

If you have any thing to communicate (of moment to yourself) you may use the last address, and give a hint.[1]

No. 64.

SIR,

I HAVE troubled you with the perusal of two letters, as that of the prior date accounts for the delay of not sending the books sooner; and this acquaints you that I did not get them out of the bookbinder's hands till yesterday; nor though I desired them to be finished in the most elegant manner possible, are they done so well as I wished. But, Sir, if the manner of the contents and index are not agreeable to you, they shall be done over again according to any directions you shall please to favour me with.—With respect to City politics, I fear the breach is too wide ever to be again closed, and even my friend Mr Wilkes lost some of his wonted coolness at the late election on Sawbridge, Oliver, &c., scratching against him.[2] I hope you will believe that however agreeable to me it must be to be honoured with your correspondence, I should never entertain the most distant wish that one ray of your splendour should be diminished by your continuing to write.—Mr Wilkes indeed mentioned to me the other day that he thought the East India Company a proper subject; and asked if I could communicate anything to you, to which my reply was that I could not tell (as I did not know whether you might chuse to be intruded upon). You will perceive by the papers that two persons have forced themselves upon us, who, without a tythe of Mr Wilkes's abilities, imagine the public will look up to them as their deliverers; but they are most egregiously mistaken, as every one who possesses a grain of common sense hold them in almost utter contempt. You will probably guess who I mean, and were I capable of drawing a parallel, I should borrow some part of it from Shakespeare's Iago and Roderigo. ——Should it please the Almighty to spare your life till the next general election, and I should at that time exist, I shall hope you will deign to instruct me for whom I should give my vote, as my wish is to be represented by the most honest and able, and I know there cannot be any one who is so fit to judge as yourself. I have no connexions to warp me, nor am I acquainted with but one person who would speak to me on the subject, and that gentleman is, I believe, a true friend to the real good of his country; I mean Mr Glover, the author of Leonidas. As I thought serjeant Glyn deserving of something more than the mere fees of his profession, for the pains he took upon my trial, I have made a purchase of a small freehold at Brentford by way of qualification, in order to convince him, if he should offer himself at the next election, whenever it should happen, that I hold his services in

[1] This letter was thus noticed in the answer to correspondents in the P. A. March 8, 1773. 'The letter from AN OLD FRIEND and CORRESPONDENT, dated Jan. 19, came safe to hand, and his directions are strictly followed. *Quod si quis existimat, aut, &c.*'

[2] Mr Wilkes and Mr Townshend were, after a sharp contest, returned to the court of aldermen for them to make their election of one of these gentlemen to the mayoralty for the year 1772, when their choice fell upon Mr Alderman Townshend, in consequence of Sawbridge and Oliver scratching against Wilkes. The candidates for that office, with the numbers which they polled, were as under:

Mr Alderman Wilkes	—	2301
Townshend	—	2278
Hallifax	—	2126
Shakespeare	—	1912

grateful remembrance. But I am since informed that it is not his intention, and that lord Percy is to be joined with sir W. B. Proctor, who is to be supported by the duke of Northumberland's interest. — I have heard much of a most trimming letter from Mr Stewart to lord Mansfield on the Douglas cause, but cannot possibly get a copy, which probably would be a good letter to print.—

If, Sir, you should not disapprove of the Contents and Index, I thought of advertising them in the manner of the enclosed form, if I have your permission so to do, but not otherwise.—May I beg the favour of a line in answer? Believe me, Sir, to be, with gratitude and respect,

Your much obliged
humble servant to command,
HENRY SAMPSON WOODFALL.

Sunday, March 7, 1773.

PRIVATE CORRESPONDENCE

BETWEEN

JUNIUS AND MR WILKES.

No. 65.

TO JOHN WILKES, ESQ.

London, 21st August, 1771.[1]

I PRESUME, Sir, you are satisfied that I mean you well, and that it is not necessary to assure you that while you adhere to the resolution of depending only upon the public favour (which, if you have half the understanding I attribute to you, you never can depart from), you may rely upon my utmost assistance. Whatever imaginary views may be ascribed to the author, it must always make part of JUNIUS'S plan to support Mr Wilkes while *he* makes common cause with the people. I would engage your favourable attention to what I am going to say to you; and I intreat you not to be too hasty in concluding, from the apparent tendency of this letter, to any possible interests or connexions of my own. It is a very common mistake in judgment, and a very dangerous one in conduct, first to look for nothing in the argument proposed to us, but the motive of the man who uses it, and then to measure the truth of his argument by the motive we have assigned to him. With regard to me, Sir, any refinement in this way would assuredly mislead you; and though I do not disclaim the idea of some personal views to future honour and advantage (you would not believe me if I did), yet I can truly affirm, that neither are they little in themselves, nor can they by any possible conjecture be collected from my writings.

Mr Horne, after doing much mischief, is now, I think, completely defeated and disarmed. The author of the late unhappy divisions in the city is removed.—Why should we suffer his works to live after him? In this view, I confess, I am vindictive, and would visit his sins upon his children. I would punish him in his offspring, by repairing the breaches he has made.—Convinced that I am speaking to a man who has spirit enough to act if his judgment be satisfied, I will not scruple to declare at once, that Mr Sawbridge ought to be lord mayor, and that he ought to owe it to *your* first motion, and to the exertion of all your credit in the city.—I affirm, without a doubt, that political prudence, the benefit of the cause, your public reputation and personal interest, do all equally demand this conduct of you.—I do not deny that a stroke like this is above the level of vulgar policy, or that if you were a much less considerable man than you are, it would not suit you. But you will recollect, Sir, that the public opinion of you rises every day, and that you must enlarge your plan as you proceed, since you have every day a new acquisition of credit to maintain.—I offer you the sincere opinion of a man, who, perhaps, has more leisure to make reflections than you have, and who, though he stands clear of all business and intrigue, mixes sufficiently for the purpose of intelligence in the conversation of the world.

Whatever language you in prudence assume to the public, you cannot but be sensible that the separation of those gentlemen who withdrew from the Bill of Rights was of considerable disservice to you. It required, in my opinion, your utmost dexterity and resolution, and not a little of your good fortune, to get the better of it. But are you now really upon the best ground on which Mr Wilkes might stand in the city? Will you say, that to separate Mr Sawbridge from a connexion every way hostile to you, and to secure him against the insidious arts of Mr Horne, and the fury of Mr Townshend (if it could be done without embarrassing your leading measures, and much more if it promoted them), would not give you a considerable personal gratification?—Will you say, that a public declaration of Mr Sawbridge in your favour, and the appearance of your acting together (I do not speak at present of a hearty coa-

[1] On this letter is written, in Mr Wilkes's own hand, the following memorandum:

'*August* 21, 1771.

'Received on Wednesday noon by a chairman, who said he brought it from a gentleman whom he saw in Lancaster Court, in the Strand.

'J. W.'

lition or confidence) would not contribute to give you a more secure, a more permanent, and, without offence to any man, a more honourable hold upon the city than you have at present? What sensations do you conceive a union between you and Mr Sawbridge would excite in the breast of Mr Horne? Would it not amount to a decisive refutation of all the invidious arguments he has drawn from your being deserted by so many of the considerable figures of the party? The answer to these questions is too obvious to be mistaken. But you will say to yourself what you would not confess to JUNIUS.— 'Mr Sawbridge is a man of unquestionable probity, and the concurrence of his reputation would undoubtedly be of service to me; but he has not pliancy enough to yield to persuasion, and I, Wilkes, am determined not to suffer another to reap the harvest of my labours: that is, to take the lead of me in the city.'— Sir, I do not mean or expect that you should make such a sacrifice to any man. But besides difference in point of conduct between leading and going foremost, I answer your thoughts when I say, that although Mr Sawbridge is not to be directed (and even this perhaps is not so literally and completely true as he himself imagines), on the other hand he does not mean to direct. His disposition, as you well know, is not fitted for that active management and intrigue which acquire an operating popularity, and direct the people by their passions. I attribute to you both the most honourable intentions for the public, but you travel different roads, and never can be rivals.—It is not that Mr Sawbridge does not wish to be popular; but, if I am not greatly mistaken, his virtues have not ostentation enough for the ordinary uses of party, and *that* they lead rather to the esteem of individuals than to popular opinion. — This I conceive is exactly the man you want—you cannot always support a ferment in the minds of men. There will necessarily be moments of languor and fatigue; and upon these occasions Mr Sawbridge's reputed firmness and integrity may be a capital resource to you,—you have too much sagacity not to perceive how far this reasoning might be carried.

In the very outset, you reap a considerable advantage, either from his acceptance or refusal.—What a copious subject of ostentation!—what rich colours to the public! Your zeal to restore tranquillity to the city;—the sacrifice of all personal recollections in favour of a man whose general character you esteem;—the public good preferred to every private or interested consideration, with a long *et cætera* to your own advantage.—Yet I do not mean to persuade you to so simple a part as that of contributing to gratify Mr Sawbridge, without a reciprocal assurance from him, that upon fair and honourable occasions he will in return promote your advantage.—Your own judgment will easily suggest to you such terms of acknowledgment as may be binding upon him in point of gratitude, and not offensive to his delicacy.—I have not entered into the consideration of any objections drawn from the fertile field of provocation and resentment.—Common men are influenced by common motives;—but you, Sir, who pretend to lead the people, must act upon higher principles. To make our passions subservient to you, you must command your own. The man who, for any personal indulgence whatsoever, can sacrifice a great purpose to a little one, is not qualified for the management of great affairs.—

Let me suppose then that every material difficulty on your part is removed; and, that, as far as you alone are concerned, you would be ready to adopt the plan I propose to you.

If you are a man of honour you will still have a powerful objection to oppose to me. Admitting the apparent advantage to your own purposes, and to the cause you are engaged in, you will tell me 'that you are no longer at liberty to chuse;—that the desertion of those persons who once professed a warm attachment to you, has reduced you to a situation in which you cannot do that which is absolutely best;—that Mr Crosby

has deserved everything from *you* and from the city, and that you stand engaged to contribute your whole strength to continue him another year in the mayoralty.' — My reply to this very just objection is addressed rather to Mr Crosby than to Mr Wilkes. He ought at all events to be satisfied ; and if I cannot bring him over to my opinion, there is an end of the argument; for I do agree with you most heartily, that it is as gross a breach of policy as of morals, to sacrifice the man who has deserved well of us to any temporary benefit whatsoever. Far from meaning to separate you from Mr Crosby, it is essential to the measure I recommend, that it should be your joint act. Nay, it is he who in the first instance should open the communication with Mr Sawbridge ; nor is it possible for you to gain any credit by the measure in which he will not of necessity be a considerable sharer. But now for considerations which immediately affect Mr Crosby.

Your plan, as I am informed, is to engage the livery to return him with Mr Bridgen.—In my own opinion the court of aldermen will choose Bridgen, consequently the sacrifice I require of Mr Crosby would in effect be nothing. That he will be defeated is to my judgment inevitable. It is for him to consider whether the idea of a defeat be not always attended with some loss of reputation. In that case too he will have forced upon the citizens (whom he professes to love and respect) a magistrate, upon whose odious and contemptible character he at present founds his only hopes of success.—Do you think that the city will not once in the course of a twelvemonth be sensible of the displeasure you have done them?—Or that it will not be placed in strong terms to your account. I appeal to Miss Wilkes, whose judgment I hear highly commended,—would she think herself much indebted to her favourite admirer, if he forced a most disagreeable partner upon her for a long winter's night, because he could not dance with her himself?

You will now say ;—'Sir, we understand the politics of the city better than you do, and are well assured that Mr Crosby will be chosen lord mayor ;—otherwise we allow that upon your plan he might acquire credit without forfeiting any real advantage.' Upon this ground I expect you, for I confess it is incumbent upon me to meet your argument, where it lies strongest against me.—Taking it for granted, then, that Mr Crosby may be lord mayor, I affirm that it is not his interest, because it is not his greatest interest. The little profit of the salary cannot possibly be in contemplation with him.—I do not doubt that he would rather make it an expensive office to himself. His view must be directed then to the flattering distinction of succeeding to a second mayoralty, and, what is still more honourable, to the being thought worthy of it by his fellow-citizens.—Placing this advantage in its strongest light, I say that every purpose of distinction is as completely answered by his being known to have had the employment in his power (which may be well insisted upon in argument, and never can be disproved by the fact) as by his accepting it. To this I add the signal credit he will acquire with every honest man by renouncing, upon motives of the clearest and most disinterested public spirit, a personal honour, which you may fairly tell the world was unquestionably within his reach.—But these are trifles.—I assert that by now accepting the mayoralty (which he may take hereafter whenever he pleases) he precludes himself from soliciting, with any colour of decency, a real and solid reward from the city.—I mean that he should be returned for London in the next Parliament. I think his conduct entitles him to it, and that he cannot fail of succeeding, if he does not furnish his opponents with too just a pretence for saying that the city have already rewarded him. On the contrary, with what force and truth may he tell his fellow-citizens at the next election, 'for your sakes I relinquished the honour you intended me. The common good required it. But I did not mean to renounce my hopes that upon a proper occasion you would honour me with a public mark of your approbation.'

You see I do not insist upon the good effects of Mr Sawbridge's gratitude, yet I am sure it may be depended upon. I do not say that he is a man to go all lengths with Mr Wilkes; but you may be assured that it is not danger that will deter him, and that wherever you have the voice of the people with you, he will, upon principle, support their choice at the hazard of his life and fortune.

Now, Sir, supposing all objections are removed, and that you and Mr Crosby are agreed, the question is in what manner is the business to be opened to Mr Sawbridge. Upon this point too I shall offer you my opinion, because the plan of this letter would not otherwise be complete.—At the same time I do very unaffectedly submit myself to your judgment.

I would have my lord mayor begin by desiring a private interview between him, Mr Crosby,[1] and yourself. Very little preface will be necessary. You have a man to deal with who is too honourable to take an unfair advantage of you. With such a man you gain everything by frankness and candour, and hazard nothing by the confidence you repose in him.—Notwithstanding any passages in this letter, I would show him the whole of it; in a great business there is nothing so fatal as cunning management; —and I would tell him it contained the plan upon which Mr Crosby and you were desirous to act, provided he would engage to concur in it *bonâ fide*, so far forth as he was concerned. There is one condition, I own, which appears to me a *sine quâ non;* and yet I do not see how it can be proposed in terms, unless his own good sense suggests the necessity of it to him—I mean the total and absolute renunciation of Mr Horne. It is very likely indeed that this gentleman may do the business for himself, either by laying aside the masque at once, or by abusing Mr Sawbridge for accepting the mayoralty upon any terms whatsoever of accommodation with Mr Wilkes.

This letter, Sir, is not intended for a correct or polished composition; but it contains the very best of JUNIUS's understanding. Do not treat me so unworthily, or rather do not degrade yourself so much, as to suspect me of any interested view to Mr Sawbridge's particular advantage. By all that's honourable I mean nothing but the cause; and I may defy your keenest penetration to assign a satisfactory reason why JUNIUS, whoever he be, should have a personal interest in giving the mayoralty to Mr Sawbridge, rather than to Mr Crosby.

I am heartily weary of writing, and shall reserve another subject, on which I mean to address you, for another opportunity.—I think that this letter, if you act upon it, should be a secret to everybody but Mr Sawbridge and my lord mayor.

JUNIUS.[2]

No. 66.

TO JOHN WILKES, ESQ.

London, 7th Sept. 1771.[3]

As this letter, Sir, has no relation to the subject of my last, the motives upon which you may have rejected one of my opinions, ought not to influence your judgment of another. I am not very sanguine

[1] Mr Crosby was, at the date of this letter, lord mayor, and the author has here, obviously through mistake, substituted his name for that of Mr Sawbridge.

[2] The plan recommended by JUNIUS in the above letter was not acted upon by Mr Wilkes, for the reasons assigned by him in his letter of Sept. 12, 1771 (No. 67). The consequence was, that Mr Alderman Nash, the ministerial candidate, was elected lord mayor, to the infinite mortification of JUNIUS, who, in Private Letter, No. 56, makes the following observation upon him and his election. 'What an abandoned, prostituted idiot is your lord mayor! The shameful mismanagement, which brought him into office, gave me the first, and an unconquerable disgust.' The subjoined is a list of the candidates for that office, with the numbers affixed to their respective names as they stood at the close of the poll:—

For Mr Alderman Nash . .	2199
Mr Alderman Sawbridge .	1879
The Lord Mayor . . .	1795
Mr Alderman Halifax . .	846
Mr Alderman Townshend .	151
Sir Henry Bankes . . .	36

[3] Marked by Mr Wilkes, 'Received in Prince's Court, Saturday, Sept. 7, 1771.'

in my expectations of persuading, nor do I think myself intitled to quarrel with any man, for not following my advice; yet this, I believe, is a species of injustice you have often experienced from your friends. From you, Sir, I expect in return, that you will not remember how unsuccessfully I have recommended one measure to your consideration, lest you should think yourself bound to assert your consistency, and, in the true spirit of persecution, to pass the same sentence indifferently upon all my opinions. Forgive this levity, and now to the business.

A man, who honestly engages in a public cause, must prepare himself for events which will at once demand his utmost patience, and rouse his warmest indignation. I feel myself, at this moment, in the very situation I describe; yet from the common enemy I expect nothing but hostilities against the people. It is the conduct of our friends that surprises and afflicts me. I cannot but resent the injury done to the common cause by the assembly at the London Tavern, nor can I conceal from you my own particular disappointment. They had it in their power to perform a real, effectual service to the nation; and we expected from them a proof, not only of their zeal, but of their judgment.—Whereas the measure they have adopted is so shamefully injudicious, with regard to its declared object, that, in my opinion, it will, and reasonably ought, to make their zeal very questionable with the people they mean to serve. When I see a measure excellent in itself, and not absolutely unattainable, either not made the principal object, or extravagantly loaded with conditions palpably absurd or impracticable, I cannot easily satisfy myself, that the man, who proposes it, is quite so sincere as he pretends to be. *You* at least, Mr Wilkes, should have shown more temper and prudence, and a better knowledge of mankind. No personal respects whatsoever should have persuaded you to concur in these ridiculous resolutions. But my own zeal, I perceive, betrays me: I will endeavour to keep a better guard upon my temper, and apply to your judgment in the most cautious and measured language.

I object, in the first place, to the bulk, and much more to the style of your resolutions of the 23rd of July;[1] though some

[1] A copy of which is subjoined, to enable the reader the better to understand JUNIUS's objections to them. They are as follow:—

London Tavern, July 23, 1771.

SUPPORTERS OF THE BILL OF RIGHTS.

SAVAGE BARRELL, ESQ., IN THE CHAIR.

Resolved,

THAT the preamble, with the articles reported this day from the committee, be printed and published from this Society.

Whoever seriously considers the conduct of administration, both at home and abroad, can hardly entertain a doubt, that a plan is formed to subvert the constitution.

In the same manner, whoever attentively examines into the proceedings of the present House of Commons, must apprehend, that such another House for seven years, after the termination of the present parliament, would effectually accomplish the views of the court, and leave no hope of redress but in an appeal to God.

The Middlesex election, taken on its true ground; the employment of the standing army, in St George's Fields; the granting half a million, without enquiring into the expenditure of the civil list money, and upon the dangerous principle of considering the debts of the civil list as the debts of the nation; and encroaching, to discharge them, upon the sinking fund, the great support of public credit; the attempts made on juries, the last sacred bulwark of liberty and law; the arbitrary and venal hand with which government is conducted in Ireland; the new and most unconstitutional mode of raising a revenue on the people of America, without asking the consent of their representatives; the introduction of an universal excise in America, instead of the laws of customs; the advancing the military above the civil power, and employing troops to awe the legislature:—All these are measures of so marked, so mischievous a nature, that it is impossible they should be unfelt or misunderstood; yet these are measures which the House of Commons have acquiesced in, countenanced, or executed.

If the present House of Commons then have given such vital wounds to the constitution, who is it can doubt, who is it can hope, that the conduct of such another House, will not be mortal to our liberties?

The trustees of the people should be pure of all interested communication with the court or its ministers; yet the corrupt correspondence between the members of the House and the court is as notorious now as it is abhorrent from every great and good purpose of their institution.

part of the preamble is as pointed as I could wish. You talk of yourselves with too much authority and importance. By assuming this false pomp and air of conse-

Placemen, pensioners, contractors and receivers of lottery tickets, abound to such a degree in the House of Commons, that it is impossible a House so constituted can do their duty to the people.

It must be plain to the most common apprehension, that men deputed by the people, to watch over and guard their rights against the crown and its ministers, and, for that purpose, vested with the transcendent powers of refusing aid to the one, and impeaching the other, can never duly exercise those powers, or fulfil the intention of their election, if they are kept in pay of that crown and those ministers. What is the plain and inevitable consequence then of entrusting such men with the guardianship of our rights, but that our rights must be betrayed and violated? Thus we have seen a House of Commons infringing, as the court had pre-ordained, the sacred birthright of the people in the freedom of election; erasing a judicial record; committing to the Tower, and threatening with impeachment, the friends of the people, and the defenders of the law; while the favourites of the court are suffered to sport with the laws, and trample on the constitution, not only with impunity, but with approbation; curbing the people rigorously, and without feeling; while they uphold ministers, who are abhorred by the nation, in the most dangerous and alarming exertions of power; granting money with the most liberal, the most licentious hand to those ministers against whom the voice of the people calls loudly for impeachment. We have a suspecting people, and a confiding representative: a complaining people, and an exulting representative; a remonstrating people, and an addressing, adulating representative,—a representative, that is an engine of oppression in the hand of the crown, instead of being a grand controuling inquest in favour of the people. Such a representative is a monster in the constitution, which must fill every considerate man with grief, alarm, astonishment, and indignation.

It is corruption that has engendered, nursed, and nourished this monster. Against such corruption, then, all men, who value the preservation of their dearest rights, are called upon to unite. Let us remember, that we ourselves, our children, and our posterity, must be freemen or slaves; as we preserve or prostitute the noble birthright our ancestors bequeathed us: for should this corruption be once firmly rooted, we shall be an undone people.

Already is it fixed among the representative, and we taste, a thousand ways, the bitter fruit which it produces; should it extend equally to the electors, we must fall, as Greece and Rome have fallen, by the same means, from the same liberty and glory, to slavery, contempt, and wretchedness.

Impressed with these ideas, the gentlemen who compose the Society of the Bill of Rights, have determined to use their utmost endeavours to exterminate this corruption, by providing for the freedom of election, the equal representation of the people, the integrity of the representative, and the redress of grievances. It is their great wish to render the House of Commons what it constitutionally ought to be, the temple of liberty. With these views they have drawn up the following articles, which they now submit to the electors of Great Britain. At the same time they, with great deference, take the liberty of recommending to the independent electors to form those articles into a solemn declaration, which the candidates, whom they support, shall be required, as the indispensable condition of their being supported, to sign and seal, publicly, at the general meeting, or at the place of election, binding themselves, by oath, to a due and sacred observance of what is therein contained.

The declaration so executed, may be deposited in the hands of the coroner, clerk of the peace, or magistrate before whom the oath was made, as a public memorial of what the constituent has demanded, and the representative has pledged himself to perform.

1. You shall consent to no supplies, without a previous redress of grievances.

2. You shall promote a law, subjecting each candidate to an oath, against having used bribery, or any other illegal means of compassing his election.

3. You shall promote, to the utmost of your power, a full and equal representation of the people in parliament.

4. You shall endeavour to restore annual parliaments.

5. You shall promote a pension and place-bill, enacting, That any member who receives a place, pension, contract, lottery ticket, or any other emolument whatsoever from the crown, or enjoys profit from any such place, pension, &c., shall not only vacate his seat, but be absolutely ineligible during his continuance under such undue influence.

6. You shall impeach the ministers who advised the violating the right of the freeholders in the Middlesex election; and the military murders in St George's Fields.

7. You shall make strict enquiry into the conduct of judges touching juries.

8. You shall make strict enquiry into the application of the public money.

9. You shall use your utmost endeavours to have the resolution of the House of Commons expunged, by which the magistrates of the city of London were arbitrarily imprisoned, for strictly adhering to their charter and their oaths; and also that resolution by which a judicial record was erased to stop the course of justice.

10. You shall attend to the grievances of our fellow-subjects in Ireland, and second the complaints they may bring to the throne.

11. You shall endeavour to restore to America the essential right of taxation, by representatives of their own free election; repealing the acts

quence, you either give general disgust, or, what is infinitely more dangerous, you expose yourselves to be laughed at. The English are a fastidious people, and will not submit to be talked to in so high a tone, by a set of private gentlemen, of whom they know nothing, but that they call themselves *Supporters of the Bill of Rights*. There are questions, which, in good policy, you should never provoke the people in general to ask themselves. At the same time, Sir, I am far from meaning to undervalue the institution of this Society. On the contrary, I think the plan was admirable; that it has already been of signal service to the public, and may be of much greater; and I do most earnestly wish, that you would consider of and promote a plan for forming constitutional clubs all through the kingdom. A measure of this kind would alarm government more, and be of more essential service to the cause, than anything that can be done relative to new-modelling the House of Commons. You see then, that my objections are directed to the particular measure, not to the general institution.

In the consideration of this measure, my first objection goes to the declared purpose of the resolutions, in the terms and mode in which you have described it, viz. *the extermination of corruption*. In *my* opinion, you grasp at the *impossible*, and *lose the really attainable*. Without plaguing you or myself with a logical argument upon a speculative question, I willingly appeal to your own candour and judgment. Can any man in his senses affirm, that, as things are now circumstanced in this country, it is possible to *exterminate corruption?* Do you seriously think it possible to carry through both Houses such a place-bill, as you describe in the fifth article; or, supposing it carried, that it would not be evaded? When you talk of contracts and lottery tickets, do you think that any human law can really prevent their being distributed and accepted, or do you only intend to mortify *Townshend* and *Harley?* In short, Sir, would you, *bonâ fide*, and as a man of honour, give it for your expectation and opinion that there is a single county or borough in the kingdom, that will form the declaration recommended to them in these resolutions, and enforce it upon the candidates? For myself, I will tell you freely, not what I *think*, but what I *know;* the resolutions are either totally neglected in the country, or, if read, are laughed at, and by people who mean as well to the cause as any of us.

With regard to the articles taken separately, I own I am concerned to see that the great condition, which ought to be the *sine quâ non* of parliamentary qualification, which ought to be the basis, as it assuredly will be the only support, of every barrier raised in defence of the constitution, I mean *a declaration upon oath to shorten the duration of parliaments*, is reduced to the fourth rank in the esteem of the Society; and, even in that place, far from being insisted on with firmness and vehemence, seems to have been particularly slighted in the expression, *you shall endeavour to restore annual parliaments*. Are these the terms which men who are in earnest make use of, when the *salus reipublicæ* is at stake! I expected other language from Mr Wilkes. Besides my objection in point of form, I disapprove highly of the meaning of the fourth article, as it stands:—Whenever the question shall be seriously agitated, I will endeavour (and if I live will assuredly attempt it) to convince the English nation, by arguments, to *my* understanding unanswerable, that they ought to insist upon a triennial, and banish the idea of an annual parliament.

Article 1. The terms of the first article would have been very proper a century or two ago, but they are not adapted to the present state of the constitution. The king does not act *directly* either in imposing or

passed in violation of that right, since the year 1763; and the universal excise, so notoriously incompatible with every principle of British liberty, which has been lately substituted, in the colonies, for the laws of customs.

SAVAGE BARRELL, ESQ., CHAIRMAN.

redressing *grievances*. We need not *now* bribe the crown to do us justice; and, as to the refusal of supplies, we might punish ourselves indeed, but it would be no way compulsory upon the king. With respect to his civil list, he is already independent, or might be so, if he has common sense, or common resolution: and as for refusing to vote the army or navy, I hope we shall never be mad enough to try an experiment every way so hazardous. But, in fact, the effort would be infinitely too great for the occasion. All we want is an honest representative, or at least such a one as will have some respect for the constituent body. Formerly the House of Commons were compelled to *bargain* with the Sovereign. At present they may prescribe their own conditions. So much, in general, for grievances: as to particular grievances, almost all those we complain of are, apparently, the acts either of the Lords or the *Commons*. The appointment of unworthy ministers, is not strictly a grievance (that is, a legal subject of complaint to the king), until those ministers are arraigned and convicted in due course of law. If, after that, the king should persist in keeping them in office, it would be a *grievance* in the strict, legal sense of the word, and would undoubtedly justify rebellion according to the forms, as well as the spirit, of the constitution. I am far from condemning the late addresses to the throne. They ought to be incessantly repeated. The people, by the singular situation of their affairs, are compelled to do the duty of the House of Commons.

Article 2. I object to the second article, because I think that multiplying oaths is only multiplying perjury. Besides this, I am satisfied that, with a triennial parliament (and without it all other provisions are nugatory) Mr Grenville's bill is, or may be made, a sufficient guard against any gross or flagrant offences in this way.

Article 3. The terms of the third article are too loose and indefinite to make a distinct or serious impression. That the people are not equally and fully represented is unquestionable. But let us take care what we attempt. We may demolish the venerable fabric we intend to repair; and where is the strength and virtue to erect a better in its stead? I should not, for my own part, be so much moved at the corrupt and odious practices, by which inconsiderable men get into parliament; nor even at the want of a perfect representation (and certainly nothing can be less reconcileable to the theory, than the present practice of the constitution), if means could be found to compel such men to do their duty (in essentials at least) when they *are* in parliament. Now, Sir, I am convinced that, if shortening the duration of parliaments (which in effect is keeping the representative under the rod of the constituent) be not made the basis of our new parliamentary jurisprudence, other checks or improvements signify nothing. On the contrary, if this be made the foundation, other measures may come in aid, and, as auxiliaries, be of considerable advantage. Lord Chatham's project, for instance, of increasing the number of Knights of Shires, appears to me admirable, and the moment we have obtained a triennial parliament, it ought to be tried. As to cutting away the rotten boroughs, I am as much offended as any man at seeing so many of them under the direct influence of the crown, or at the disposal of private persons; yet I own I have both doubts and apprehensions, in regard to the remedy you propose. I shall be charged, perhaps, with an unusual want of political intrepidity, when I honestly confess to you, that I am startled at the idea of so extensive an amputation. In the first place, I question the power, *de jure*, of the legislature to disfranchise a number of boroughs upon the general ground of improving the constitution. There cannot be a doctrine more fatal to the liberty and property we are contending for, than that which confounds the idea of a *supreme* and an *arbitrary* legislature. I need not point out to you, the fatal purposes to which it has been and may be applied. If we are sincere in the political creed we profess, there are many things which we ought to

affirm, cannot be done by King, Lords, and Commons. Among these I reckon the disfranchising a borough with a general view to improvement. I consider it as equivalent to robbing the parties concerned, of their freehold, of their birthright. I say, that although this birthright may be forfeited, or the exercise of it suspended in particular cases, it cannot be taken away by a general law, for any real or pretended purpose of improving the constitution. I believe there is no power in this country to make such a law. Supposing the attempt made, I am persuaded you cannot mean that either King or Lords should take an active part in it. A bill, which only touches the representation of the people, must originate in the House of Commons, in the formation and mode of passing it. The exclusive right of the Commons must be asserted as scrupulously as in the case of a Money Bill. Now, Sir, I should be glad to know by what kind of reasoning it can be proved, that there is a power vested in the representative to destroy his immediate constituent: from whence could he possibly derive it? A courtier, I know, will be ready enough to maintain the affirmative. The doctrine suits him exactly, because it gives an unlimited operation to the influence of the crown. But we, Mr Wilkes, must hold a different language. It is no answer to me to say, that the bill, when it passes the House of Commons, is the act of the majority, and not of the representatives of the particular boroughs concerned. If the majority can disfranchise ten boroughs, why not twenty? Why not the whole kingdom? Why should not they make their own seats in parliament for life? When the Septennial Act passed, the legislature did what apparently and palpably they had no power to do; but they did more than people in general were aware of; they disfranchised the whole kingdom for four years. For argument's sake, I will now suppose, that the expediency of the measure, and the power of parliament, were unquestionable. Still you will find an insurmountable difficulty in the execution. When all your instruments of amputation are prepared—when the unhappy patient lies bound at your feet, without the possibility of resistance, by what infallible rule will you direct the operation? When you propose to cut away the rotten parts, can you tell us what parts are perfectly sound? Are there any certain limits, in fact or theory, to inform you at what point you must stop—at what point the mortification ends? To a man so capable of observation and reflection as you are, it is unnecessary to say all that might be said upon the subject. Besides that I approve highly of lord Chatham's idea of 'infusing a portion of new health into the constitution to enable it to bear its infirmities' (a brilliant expression, and full of intrinsic wisdom), other reasons concur in persuading me to adopt it. I have no objection to paying him such compliments as carry a condition with them, and either bind him firmly to the cause, or become the bitterest reproach to him if he deserts it. Of this last I have not the most distant suspicion. There is another man, indeed, with whose conduct I am not so completely satisfied.[1] Yet even *he*, I think, has not resolution enough to do any thing flagrantly impudent in the face of his country. At the same time that I think it good policy to pay those compliments to lord Chatham, which, in truth, he has nobly deserved, I should be glad to mortify those contemptible creatures who call themselves noblemen, whose worthless importance depends entirely upon their influence over boroughs, which cannot be safely diminished, but by increasing the power of the counties at large. Among these men, I cannot but distinguish the meanest of the human species, the whole race of the *Conways*. I have but one word to add,—I would not give representatives to those great trading towns, which have none at present. If the merchant and the manufacturer must be *really* represented,

[1] Possibly lord Camden is the person here alluded to; as JUNIUS, in Letter LXIX., seems to entertain some suspicion of this nobleman, from his renewed intimacy with the duke of Grafton.

let them become freeholders by their industry, and let the representation of the county be increased. You will find the interruption of business in those towns, by the triennial riot and cabals of an election, too dear a price for the nugatory privilege of sending members to parliament.

The remaining articles will not require a long discussion ;—of the fourth and fifth I have spoken already.

Article 6. The measures recommended in the sixth are unexceptionable. My only doubt is, how can an act, *apparently* done by the House of Commons, be fixed, by sufficient legal evidence, upon the duke of Grafton, or lord North, of whose guilt I am nevertheless completely satisfied. As for lord Weymouth and lord Barrington, their own letters are a sufficient ground of impeachment.

Article 7. The seventh article is also very proper and necessary. The impeachment of lord Mansfield, upon his own paper, is indispensable. Yet suffer me to guard you against the seducing idea of concurring in any vote, or encouraging any bill, which may pretend to ascertain, while in reality it limits, the constitutional power of juries. I would have their right, to return a general verdict in all cases whatsoever, considered as a part of the constitution, fundamental, sacred, and no more questionable by the legislature, than whether the government of the country shall be by King, Lords, and Commons. Upon this point, an Enacting Bill would be pernicious ; a Declaratory Bill, to say the best of it, useless.

Article 8. I think the eighth article would be more properly expressed thus : *You shall grant no money, unless for services known to, and approved of, by Parliament.* In general the supplies are appropriated, and cannot easily be misapplied. The House of Commons are indeed too ready in granting large sums under the head of *extraordinaries incurred, and not provided for.* But the accounts lie before them ;—it is their own fault if they do not examine them. The manner in which the late debt upon the civil list was pretended to be incurred, and really paid, demands a particular examination. Never was there a more impudent outrage offered to a patient people.

Article 9. The ninth is indispensable ; but I think the matter of it rather fit for instruction, than for the declaration you have in view. I am very apprehensive of clogging the declaration, and making it too long.

Articles 10 and 11. In the tenth and eleventh you are very civil to Ireland and America ; and if you mean nothing but ostentation, it may possibly answer your purpose. Your care of Ireland is much to be commended. But, I think, in good policy, you may as well complete a reformation at home, before you attempt to carry your improvements to such a distance. Clearing the fountain is the best and shortest way to purify the stream. As to taxing the Americans by their own representatives, I confess I do not perfectly understand you. If you propose that, in the article of taxation, they should hereafter be left to the authority of their respective assemblies, I must own I think you had no business to revive a question which should, and probably would, have lain dormant for ever. If you mean that the Americans should be authorized to send their representatives to the British parliament, I shall be contented with referring you to what Mr Burke has said upon this subject, and will not venture to add anything of my own, for fear of discovering an offensive disregard of your opinion. Since the repeal of the Stamp Act, I know of no acts tending to tax the Americans, except that which creates the tea duty ; and even that can hardly be called *internal.* Yet it ought to be repealed, as an impolitic act, not as an oppressive one. It preserves the contention between the mother country and the colonies, when every thing worth contending for is in reality given up. When this act is repealed, I presume you will turn your thoughts to the postage of letters ; a tax imposed by authority of parliament, and levied in the very heart of the colonies. I am not sufficiently informed upon the sub-

ject of that excise, which you say is substituted in North America to the laws of customs, to deliver such an opinion upon it as I would abide by. Yet I can easily comprehend, that admitting the necessity of raising a revenue for the support of government there, any other revenue laws, but those of excise, would be nugatory in such a country as America. I say this with great diffidence as to the point in question, and with a positive protest against any conclusion from America to Great Britain.

If these observations shall appear to deserve the attention of the Society, it is for *them* to consider what use may be made of them. I know how difficult and irksome it is to tread back the steps we have taken; yet, if any part of what I have submitted to you carries reason and conviction with it, I hope that no false shame will influence our friends at the London Tavern.

I do not deny that I expect my opinions upon these points should have some degree of weight with you. I have served Mr Wilkes, and am still capable of serving him. I have faithfully served the public, without the possibility of a personal advantage. As JUNIUS, I can never expect to be rewarded. —The secret is too important to be committed to any great man's discretion. If views of interest or ambition could tempt me to betray my own secret, how could I flatter myself that the man I trusted would not act upon the same principles, and sacrifice me at once to the king's curiosity and resentment? Speaking therefore as a disinterested man, I have a claim to your attention. Let my opinions be fairly examined.

JUNIUS.

P. S. As you will probably never hear from me again, I will not omit this opportunity of observing to you, that I am not properly supported in the newspapers. One would think that all the fools were of the other side of the question. As to myself it is of little moment. I can brush away the swarming insects whenever I think proper. But it is bad policy to let it appear, in any instance, that we have not numbers as well as justice of our side. I wish you would contrive that the receipt of this letter and my last, might be barely acknowledged by a hint in the Public Advertiser.

No. 67.

TO JUNIUS.

Prince's Court, Monday, Sept. 9.

MR WILKES had the honour of receiving from the same gentleman two excellent letters on important subjects, one dated Aug. 21st, the other Sept. 7th. He begs the favour of the author to prescribe the mode of Mr Wilkes's communicating his answer.[1]

No. 68.

TO J. WILKES, ESQ.

10 *Sept.* 1771.

YOU may intrust Woodfall with a letter for me. Leave the rest to his management.

I expect that you will not enter into any explanations with him whatsoever.[2]

No. 69.

TO JUNIUS.

SIR, *Sept.* 12, 1771.

I DO not mean to indulge the impertinent curiosity of finding out the most important secret of our times, the author of JUNIUS. I will not attempt with profane hands to tear the sacred veil of the sanctuary; I am disposed with the inhabitants of Attica, to erect *an altar to the unknown god* of our political idolatry, and will be content to worship him in clouds and darkness.

This very circumstance, however, deeply embarrasses me. The first letter with which I was honoured by JUNIUS, called for a thousand anecdotes of Crosby, Saw-

[1] This note was inserted in the P. A. of Sept. 10, 1771.

[2] Mr Wilkes has written on it, 'Received by the Penny Post.'

bridge, and Townshend, too tedious, too minute, to throw upon paper, which yet must be acted upon, and, as he well knows, mark the character of men. JUNIUS has, in my idea, too favourable sentiments of Sawbridge. I allow him honest, but think he has more mulishness than understanding, more understanding than candour. He is become the absolute dupe of Malagrida's gang. He has declared, that if he was chosen mayor this year, he would not serve the office, but fine, because Townshend ought to be mayor. Such a declaration is certain, and in my opinion it borders on insanity. To me Sawbridge complained the last year that his sheriffalty passed in a continual secret cabal of Beckford, Townshend, and Horne, without the communication of anything to him till the moment of execution. Sawbridge has openly acted against us. Our troops will not be brought at present to fight his battles. Mrs Macauley has warmly espoused the common cause, and severely condemns her brother. Any overtures to Sawbridge, I believe, would have been rejected, perhaps treated with contempt, by not the best bred man in the island. How could I begin a negotiation when I was already pledged to Crosby, who has fed himself with the hope of that and the membership, by which I overcame his natural timidity? JUNIUS sees the confidence I place in him. Could there be a prospect of any cordiality between Sawbridge and the popular party, at least so soon as his mayoralty? I should fear the Mansion House would be besieged, and taken by the banditti of the Shelburnes. But what I am sure will be decisive to JUNIUS, I was engaged to Crosby before I received the letter of Aug. 21, and I have not since found in him the least inclination to yield the favourite point. The membership of the city is a security to the public for his steadiness in the cause. Surely then it would have been imprudent to have wished a change. My duty to the people only makes me form a wish for Crosby. To make Crosby mayor, it is necessary to return to the court of aldermen another man so obnoxious that it is impossible for them to elect him. Bridgen I take to be this man. While he presided in the city, he treated them with insolence, was exceedingly rude and scurrilous to them personally, starved them at the few entertainments he gave, and pocketed the city cash. As he has always voted on the popular side, we are justified to the livery in the recommendation of him, and the rest will be guessed. Crosby will probably be the *locum tenens* of Bridgen, if Bridgen is elected. I wrote the letter on this subject in the Public Advertiser of Sept. 5. The argument there is specious, although my private opinion is, the House of Commons will not again fall into that snare. Into another I am satisfied they will. The House of Lords too, will, I think, furnish a most interesting scene, in consequence of the powers they usurp, and the sheriff means the attack. I wish this great business, as I have projected it, could be unravelled in a letter or two to JUNIUS, but the detail is too long and intricate. How greatly is it to be lamented that the few real friends of the public have so little communication of counsels, so few and only distant means of a reserved intercourse!

I have no where met with more excellent and abundant political matter than in the letter of JUNIUS respecting the Bill of Rights. He ought to know from me, that the American Dr Lee (the Gazetteer's Junius Americanus) was the author of the too long Preamble, Articles, &c. They were, indeed, submitted to me on the morning of the day on which they passed, but I made few corrections. I disliked the extreme *verbiage* of every part, and wished the whole put again on the anvil. Sir Joseph Mawbey and I were of opinion to adjourn the business for a re-consideration, but the majority of the members were too impatient to have something go forth in their names to the public. It would have been highly imprudent in sir Joseph or me to thwart them in so favourite a point, and the substance I indeed greatly approve. At

all times I hate taking in other people's foul linen to wash. The Society of the Bill of Rights have been called my committee, and it has been said that they were governed entirely by me. This has spread a jealousy even among my friends. I was therefore necessitated to act the most cautious and prudent part. You cannot always do all the good you wish, and you are sometimes reduced to the necessity of yielding in a particular moment to conciliate the doubtful, the peevish, or the refractory. JUNIUS may be assured that I will warmly recommend the formation of constitutional clubs in several parts of the kingdom. I am satisfied that nothing would more alarm the ministry. I agree that the shortening the duration of parliaments is the first and most important of all considerations, without which all the rest would be nugatory; but I am unhappy to differ with JUNIUS in so essential a point as that of triennial parliaments. They are inadequate to the cure of destroying dependance in the members on the crown. They only lessen, not root out, corruption, and only reduce the purchase money for an annuity of three instead of seven years. I have a thousand arguments against triennial and in favour of annual parliaments. The question was fairly agitated at the London Tavern, and several of your friends owned that they were convinced. The subject is too copious for a letter. I hope to read JUNIUS's mature and deliberate thoughts on this subject. I own that in the House of Commons sound policy would rather favour triennial parliaments as the necessary road to annual, but the constitutional question is different.

I am sorry likewise to differ with JUNIUS as to the power *de jure* of the legislature to disfranchise any boroughs. How originated the right, and why was it granted? Old Sarum and Gatton, for instance, were populous places, when the right of representation was first given them. They are now desolate, and therefore in everything should return to their former state. A barren mountain or a single farm-house can have no representation in parliament. I exceedingly approve lord Chatham's idea of increasing the number of knights of shires. If parliaments are not annual, I should not disapprove of a third part of the legislative body going out every year by ballot, and of consequence an annual re-election in part.

I am so much harassed with business at present, that I have not time to mention many particulars of importance, and these three days I have had the shivering fits of a slow lurking fever, a strange disorder for Wilkes, which makes writing painful to me. I could plunge the patriot dagger in the heart of the tyrant of my country, but my hand would now tremble in doing it. In general I enjoy settled confirmed health, to which I have for some years paid great attention, chiefly from public views.

I am satisfied that JUNIUS now means me well, and I wish to merit more than his regard, his friendship. He has poured balm into my wounds, the deepest of which, I sigh when I recollect, were made by that now friendly hand. I am always ready to kiss his rod, but I hope its destination is changed, and that it will never again fall as heavy upon me as towards the conclusion of the year 1769, when Thurlow said sneeringly, the government prosecuted JUNIUS out of compliment to Wilkes. I warmly wish JUNIUS my friend. As a public man I think myself secure of his support, for I will only depend on popular favour, and pursue only the true constitutional points of liberty. As a private person I figure to myself that JUNIUS is as amiable in the private as he is great in the public walk of life. I now live very much at home, happy in the elegant society of a sensible daughter, whom JUNIUS has noticed in the most obliging manner.

I have not had a moment's conversation with Woodfall on the subject of our correspondence, nor did I mean to mention it to him. All he can guess, will be from the following card, which I shall send by my servant with this letter. 'Mr Wilkes presents his compliments to Mr Woodfall, and

desires him to direct and forward the enclosed to JUNIUS.' After the first letter of JUNIUS to me, I did not go to Woodfall to pry into a secret I had no right to know. The letter itself bore the stamp of Jove. I was neither doubting nor impertinent. I wish to comply with every direction of JUNIUS, to profit by his hints, and to have the permission of writing to him on any important occasion. I desire to assure him, that in all great public concerns, I am perfectly free from every personality either of dislike or affection. The Stoic apathy is then really mine.

Lord Chatham said to me ten years ago, '* * * * * * is the falsest hypocrite in Europe.' I must hate the man as much as even JUNIUS can, for through this whole reign almost it has been * * * * * * * * * *versus Wilkes*. This conduct will probably make it *Wilkes versus* * * * * * * * * *. JUNIUS must imagine that no man in the island feels what he writes on that occasion more than I do.

This letter is an emanation of the heart, not an effort of the head. It claims attention from the honest zeal and sincerity of the writer, whose affection for his country will end only with his life.

JOHN WILKES.

No. 70.

TO JOHN WILKES, ESQ.[1]

SIR, *London, 18th Sept.*, 1771.

YOUR letter of the 12th instant was carefully conveyed to me. I am much flattered, as you politely intended I should be, with the worship you are pleased to pay to the unknown god of politics. I find I am treated as other gods usually are by their votaries, with sacrifice and ceremony in abundance, and very little obedience. The profession of your faith is unexceptionable; but I am a modest deity, and should be full as well satisfied with good works and morality.

[1] Written on by him, 'Received Monday afternoon, September 18, 1771.'

There is a rule in business that would save much time if it were generally adopted. *A question once decided is no longer a subject of argument.* You have taken your resolution about the mayoralty. What I have now to say is not meant to alter it, but, in perfect good humour, to guard you against some inconveniences, which may attend the execution. It is your own affair, and though I still think you have chosen injudiciously, both for yourself and for the public, I have no right to find fault or to tease you with reflections, which cannot divert you from your purpose.

I cannot comprehend the reason of Mr Crosby's eagerness to be lord mayor, unless he proposes to disgrace the office and himself by pocketing the salary. In that case he will create a disgust among the citizens, of which you and your party will feel the bad effects, and as for himself he may bid adieu to all hopes of being returned for the city. That he should live with unusual splendor is essentially your interest and his own; and even then I do not perceive that his merits are so distinguished as to entitle him to a double reward. Of the dignity or authority of a *locum tenens*, I know nothing; nor can I conceive what credit Mr Crosby is likely to derive from representing Mr Bridgen. But suppose Bridgen should be lord mayor, and should keep his word in appointing Crosby his lieutenant, I should be glad to know, who is to support the expense and dignity of the office? It may suit such a fellow as Bridgen to shut up the Mansion-house, but I promise you his economy will be of no service to Mr Wilkes. If you make him mayor, you will be made answerable for his conduct; and if he and Crosby be returned, you may depend upon it the court of aldermen will choose him.

With regard to Mr Sawbridge, since I cannot prevail with you to lay the foundation of a closer union between you, by any positive sacrifice in his favour, at least let me entreat you to observe a moderate and guarded conduct towards him. I should be much concerned to see his character

traduced, or his person insulted. He is *not* a dupe to any set of men whatsoever, nor do I think he has taken any violent or decided part against you.—Yet to be excluded from those honours which are the only rewards he pretends to, and to which he is so justly entitled, and to see them bestowed upon such men as *Crosby* and *Bridgen*, is enough to excite and justify his resentment. All this, Sir, is matter of convenience, which I hope you will consider. There is another point, upon which I must be much more serious and earnest with you. You seem to have no anxiety or apprehension but lest the friends of lord Shelburne should get possession of the Mansion-house. In my opinion they have no chance of success whatsoever. The real danger is from the interest of government; from Harley, and the Tories.—If while you are employed in counteracting Mr Townshend, a ministerial alderman should be returned, you will have ruined the cause.—You will have ruined yourself, and for ever. To say that JUNIUS could never forgive you is nothing;[1]—you could never forgive yourself.—JUNIUS from that moment will be compelled to consider you as a man who has sacrificed the public to views which were every way unworthy of you. If then, upon a fair canvass of the livery, you should see a probability that Bridgen may not be returned, let that point be given up at once, and let *Sawbridge* be returned with *Crosby*;—a more likely way, in *my* judgment, to make *Crosby* lord mayor.

Nothing can do you greater honour, nor be of greater benefit to the community, than your intended attack upon the unconstitutional powers assumed by the House of Lords. You have my warmest applause; and if I can assist, command my assistance. The arbitrary power of fine and imprisonment, assumed by these men, would be a disgrace to any form of legal government not purely *aristocratical*. — Directly, it invades the laws; indirectly, it saps the constitution. Naturally phlegmatic, these questions warm me.—I envy you the laurels you will acquire.—Banish the thought that JUNIUS can make a dishonourable or an imprudent use of the confidence you repose in him. When you have leisure, communicate your plan to me, that I may have time to examine it, and to consider what part I can act with the greatest advantage to the cause. The constitutional argument is obvious. I wish you to point out to me where you think the force of the *formal legal* argument lies. In pursuing such inquiries I lie under a singular disadvantage. Not venturing to consult those who are qualified to inform me, I am forced to collect every thing from books or common conversation. The pains I took with that paper upon privilege, were greater than I can express to you. Yet after I had blinded myself with poring over journals, debates, and parliamentary history, I was at last obliged to hazard a bold assertion, which I am now convinced is true (as I really then thought it), because it has not been disproved or disputed.—There is this material difference upon the face of the two questions. We can clearly show a time when the Lower House had not an unlimited power of commitment for breach of privilege. Whereas I fear we shall not have the same advantage over the House of Lords. It is not that precedents have any weight with me in opposition to principles; but I know they weigh with the multitude.

My opinion of the several articles of the proposed declaration remains unaltered. I cannot pretend to answer those arguments in favour of annual parliaments, by which you say the friends of JUNIUS were convinced. The question is not what is best in theory (for there I should undoubtedly agree with you), but what is most expedient in practice. You labour to carry the constitution to a point of perfection which it can never reach to, or at which it cannot long be stationary. In this idea I think I see the mistake of a speculative man, who is either not conversant with the world, or

[1] See note to Private Letter, No. 56.

not sufficiently persuaded of the necessity of taking things *as they are*. The objection drawn from the purchase of an annuity for *three* years instead of *seven*, is defective, because it applies in the same proportion to an annuity for one year. This is not the question. The point is to keep the representative as much under the check and controul of the constituent, as can be done consistently with other great and essential objects. But without entering further into the debate, I would advise, that this part of the declaration be expressed in general terms; viz. to shorten the duration of parliaments. This mediating expedient will, for the present, take in both opinions, and leave open the *quantum* of time to a future discussion.

In answer to a general argument, by which the uncontroulable right of the people to form the third part of the legislature is defended, you urge against me two gross cases, which undoubtedly call for correction. These cases, you may believe, did not escape me, and by the bye, admit of a particular answer. But it is not treating me fairly to oppose general principles with particular abuses. It is not in human policy to form an institution from which no possible inconvenience shall arise. I did not pretend to deliver a doctrine, to which there could be no possible objection. We are to chuse between better and worse. Let us come fairly to the point.—Whether is it safer to deny the legislature a power of disfranchising all the electors of a borough; (which, if denied, entails a number of rotten boroughs upon the constitution)—or to *admit* the power, and so leave it with the legislature to disfranchise *ad arbitrium* every borough and county in the kingdom. If you deny the consequence, it will be incumbent upon you to prove by *positive* reasoning that a power which holds in the case of Aylesbury or New Shoreham, *does not* hold in the case of York, London, or Middlesex. To this question I desire a direct answer; and when we have fixed our principles, we may regularly descend to the detail. The cases of Gatton and Old Sarum do not embarrass me. Their right to return members to parliament has neither fact nor theory to support it.—'They have, *bonâ fide*, no electors.' Consequently there is no man to be dispossessed of his freehold. No man to be disfranchised of his right of election. At the worst, supposing the annihilation of these pretended boroughs could no way be reconciled to my own principles, I shall only say, give me a healthy, vigorous constitution, and I shall hardly consult my looking-glass to discover a blemish upon my skin.

You ask me, from whence did the right originate, and for what purpose was it granted? I do not see the tendency of these questions, but I answer them without scruple: 'In general it arose from the king's writs, and it was granted with a view to balance the power of the nobility, and to obtain aids from the people.'—But without looking back to an obscure antiquity, from which no certain information can be collected, you will find that the laws of England have much greater regard to possession (of a certain length) than to any other title whatsoever; and that, in every kind of property which savours of the *reality*, this doctrine is most wisely the basis of our English jurisprudence. Though I use the terms of art, do not injure me so much as to suspect I am a lawyer.—I had as lief be a Scotchman.—It is the encouragement given to disputes about titles, which has supported that iniquitous profession at the expense of the community.—As to this whole argument about rotten boroughs, if I seem zealous in supporting my opinion, it is not from a conception that the constitution cannot possibly be relieved from them—I mean only to reconcile you to an evil which cannot safely be removed.

Now, Mr Wilkes, I shall deal very plainly with you. The subject of my first letter was private and personal, and I am content it should be forgotten. Your letter to *me* is also sacred. But my second letter is of public import, and must not be suppressed. I did not mean that it should be buried in Prince's Court. It would be un-

fair to embarrass you with a new question, while your city election is depending. But if I perceive that within a reasonable time after that business is concluded, no steps are taken with the Bill of Rights to form a new, short, and rational declaration (whether by laying my letter before the Society, or by any other mode that you shall think advisable), I shall hold myself obliged, by a duty paramount to all other considerations, to institute an amicable suit against the Society before the tribunal of the public. Without asperity, without petulance or disrespect, I propose to publish the second letter, and to answer or submit to argument. The necessity of taking this step will indeed give me pain, for I well know that differences between the advocates are of no service to the cause. But the lives of the best of us are spent in chusing between evils.—As to you, Sir, you may as well take the trouble of directing that Society, since whatever they do is placed to your account.

The domestic society you speak of is much to be envied. I fancy I should like it still better than you do. I too am no enemy to good fellowship, and have often cursed that canting parson for wishing to deny you your claret. It is for *him*, and men like *him*, to beware of intoxication. Though I do not place the little pleasures of life in competition with the glorious business of instructing and directing the people, yet I see no reason why a wise man may not unite the public virtues of Cato, with the indulgence of Epicurus.

Continue careful of your health. Your head is too useful to be spared, and your hand may be wanted. Think no more of what is past. You did not then stand so well in my opinion ; and it was necessary to the plan of that letter to rate you lower than you deserved. The wound is curable, and the scar shall be no disgrace to you.

I willingly accept of as much of your friendship as you can impart to a man whom you will assuredly never know. Besides every personal consideration, if I were known, I could no longer be an useful servant to the public. At present there is something oracular in the delivery of my opinions. I speak from a recess which no human curiosity can penetrate, and darkness, we are told, is one source of the sublime. — The mystery of JUNIUS increases his importance.

JUNIUS.

No. 71.

Prince's Court, Thursday, Sept. 19.

MR WILKES thanks Mr Woodfall for the care of the former letter, and desires him to transmit the enclosed to JUNIUS.

TO JUNIUS.

SIR, *Sept.* 19, 1771.

I HAD last night the honour of your letter of yesterday's date. I am just going to the Common Hall, but first take up the pen to thank you for the kindness you express to me, and to say that the Bill of Rights meet next Tuesday. I thought it necessary not to lose a moment in giving you this information, that whatever you judge proper may be submitted to that Society as early as possible. JUNIUS may command me in every thing. When he says, ' my second letter is of public import, and must not be suppressed. I did not mean that it should be buried in Prince's Court,'—does he wish it should be communicated to the Society, and in what manner? The beginning of the second letter refers to a first letter, and some other expressions may be improper for the knowledge of the Society. I wait JUNIUS's directions. I beg his free sentiments on all occasions. I mean next week to state a variety of particulars for his consideration and in answer to his letter. I had now only a moment to mention a point of business and a feeling of gratitude.

JOHN WILKES.

No. 72.

TO J. WILKES, ESQ.

SIR, 21 *Sept.* 1771.[1]

SINCE you are so obliging as to say, you will be guided by my opinion as to the manner of laying my sentiments before the Bill of Rights, I see no reason why the whole of the second letter may not be read there next Tuesday, except the postscript, which has no connexion with the rest, and the word ridiculous, which may naturally give offence;—as I mean to persuade and soften, not irritate or offend. Let that word be expunged. The prefatory part you may leave or not as you think proper. You are not bound to satisfy any man's curiosity upon a *private* matter, and upon my silence you may, I believe, depend entirely. As to other passages I have no favour or affection, so let all go. It should be copied over in a better hand.

If any objections are raised, which are answered in my third letter, you will, I am sure, answer for me, so far forth, *ore tenus*.

JUNIUS.

By all means let it be copied. — This manuscript is for private use only.

No. 73.

TO J. WILKES, ESQ.

SIR, *Monday*.[2]

WHEN I wrote to you on Saturday, it did not occur to me that your own advertisement had already informed the public of your receiving two letters; your omitting the preamble to the second letter would therefore be to no purpose.

In my opinion you should not wish to decline the appearance of being particularly addressed in that letter. It is calculated to give you dignity with the public. There is more in it than perhaps you are aware of. Depend upon it, the perpetual union of *Wilkes* and *mob* does you no service. Not but that I love and esteem the mob.—It is your interest to keep up dignity and gravity besides. I would not make myself cheap by walking the streets so much as you do. *Verbum sat.*

No. 74.

TO JUNIUS.

SIR, *Wednesday, Sept.* 25.

YESTERDAY I attended the meeting of the Society of the Bill of Rights, and laid before them the letter, which I had the honour of receiving from you on the 7th of September. The few lines of the preamble I omitted, the word *ridiculous*, according to your directions, and a very few more lines towards the conclusion. All the rest was a faithful transcript, the exact *tenor*.[3] The season of the year occasioned the meeting to be ill attended. Only eleven members were present. The following resolution passed unanimously: 'That Mr Wilkes be desired to transmit to JUNIUS the thanks of the Society for his letter, and to assure him, that it was received with all the respect due to his distinguished character and abilities.' Soon after my fever obliged me to return home, and I have not heard of anything further being done; but Mr Lee told me he thought the letter capable of a full answer, which he meant, on a future day, to submit to the Society, and would previously communicate to me. The letter is left in the hands of Mr Reynolds, who has the care of the other papers of the Society, with directions to permit every member to peruse, and even transcribe it, on the promise of non-publication. Some particular expressions appeared rather too

[1] Written on it by Mr Wilkes, 'Received Sept. 23, 1771.'

[2] Ibid.

[3] When Mr Wilkes was prosecuted in the year 1764, for publishing the North Briton, No. 45, lord Mansfield issued an order for Mr Wilkes's attorney or solicitor to attend at his house, on the morning previous to the trial, 'to show cause why the information in this cause should not be amended by striking out the word PURPORT, in the several places where it is mentioned in the said information (except in the first place), and inserting, instead thereof, the word TENOR.' The Chief Justice was accused of having suggested this alteration, and several objections were taken to it, which, in argument, were overruled by the Court.

harsh and grating to the ears of some of the members.

Surely, Sir, nothing in the advertisement I inserted in the Public Advertiser, could lead to the idea of the two letters I mentioned coming from JUNIUS. I entreat him to peruse once more that guarded advertisement. I hope that Mr Bull's and my address of Saturday, was approved where I most desire it should be thought of favourably. I know it made our enemies wince in the most tender part.

I am too ill to-day to add more.

JOHN WILKES.

No. 75.

TO J. WILKES, ESQ.

SIR, *16th October*, 1771.

I CANNOT help expressing to you my thanks and approbation of your letter of this day.[1] I think it proper, manly, and to the purpose. In these altercations nothing can be more useful, than to preserve dignity and *sang froid—fortiter in re, suaviter in modo*, increases both the force and the severity. Your conduct to Mr Sawbridge is every thing I could wish.[2] Be assured, you will find it both honourable and judicious. Had it been adopted a little sooner, you might have returned him and Crosby, and taken the whole merit of it to yourself. If I am truly informed of Mr S.'s behaviour on the hustings, I must confess it does not satisfy me. But perseverance, management, and determined good humour, will set every thing right, and, in the end, break the heart of Mr Horne. Nothing can be more true than what you say about *great men*.[3] They are indeed a worthless, pitiful race. Chatham has gallantly thrown away the scabbard, and never flinched. From that moment I began to like him.

I see we do not agree about the strict right of pressing.[4] If you are as sincere as I am, we shall not quarrel about a difference of opinion. I shall say a few words to-morrow on this subject, under the signature of Philo Junius.—The letters under that name have been hastily drawn up, but the principles are tenable. I thought your letter about the military very proper and well drawn.[5]

JUNIUS.

[1] This was a long address from Mr Wilkes to the livery of London, in his own defence, from an attack which had been made upon him by Mr Alderman Townshend. We shall extract such parts of it as are more particularly alluded to by JUNIUS in this letter.

[2] 'Mr Townshend asks, "Does he (Mr Wilkes) allow one man in the court of aldermen to be worthy of your confidence, except himself and Mr Crosby?" Let me state the question about Mr Sawbridge. Mr Wilkes has declared under his hand, in all the public papers, "No man can hononr Mr Sawbridge more than I do, for *every public* and private *virtue*, which constitutes *a great* and amiable *character*." Was this praise cold or penurious? Was it not deserving a better return than it seems to have found? Is not such a character *worthy of your confidence?*' Mr Wilkes's letter of Oct. 15.

[3] 'Mr Morris told us at the Bill of Rights, that when he pressed Mr Townshend about the affair of the printers, his answer was, that he did not find he should be supported by any *great man*, and otherwise it would be *imprudent*, therefore did not chuse to act in it. The *prudent* Mr Townshend may wait the consent of *great men*. I will on a national call follow instantly the line of my duty, regardless of their applause or censure. Public spirit and virtue are seldom in the company of his Lordship or his Grace. [The case of the printers is detailed in note to Miscellaneous Letter, No. XCII.]

* * * * *

'Has not, by the conduct of your magistrates, a complete victory been gained over the usurped powers both of the Crown and the House of Commons? The two questions had been frequently agitated among the friends of liberty, even while I remained at the King's Bench. When the city and the nation had clearly decided in favour of the cause, the *great men* followed, as they generally do, joined the public cry, and thronged to the Tower to pay their tardy tribute of praise to the persecuted patriots. The business had been completed without their assistance. In all such cases I am persuaded we shall find, that the people will be obliged to do their *own* business; but if it succeeds, they may be sure of the concurrence and applause of the *great*, and their even entering the most loathsome prisons or dungeons—on a short visit of parade.' Mr Wilkes's letter of Oct. 15.

[4] 'As a good Englishman and citizen, I thanked my brethren Sawbridge and Oliver for having so nobly discharged their duty as aldermen in the business of press warrants, on which I expatiated as the most cruel species of general warrants.' Id.

[5] A few days previous to Messrs Wilkes and Bull entering upon their office of sheriffs of Lon-

No. 76.

TO JUNIUS.

SIR, *Oct.* 17, 1771.

I AM not yet recovered, and to-day have been harassed with complaints against the greatest villains out of hell, the bailiffs; but so very polite and friendly a letter as JUNIUS'S of yesterday, demands my earliest and warmest acknowledgments. I only take up the pen to say, that I think myself happy in this approbation, that a line of applause from him gives the same brisk circulation to my spirits, as a kiss from Chloe, and that I mean soon to communicate to him a project of importance.—I will skirmish with the great almost every day in some way or other. Does JUNIUS approve the following manœuvre, instead of going in a gingerbread chariot to yawn through a dull sermon at St Paul's.

Old Bailey, Oct. 24th, 1771.

'Mr Sheriff Wilkes presents his duty to the Lord Mayor, and asks his Lordship's leave to prefer the real service of his country to-morrow in the administration of justice here, to the vain parade on the anniversary of the accession of a prince, under whose inauspicious government an universal discontent prevails among the people, and who still leaves the most intolerable grievances of his subjects unredressed.'—This card to be published at length. Will JUNIUS suggest any alteration or addition? It is a bold step.—The sessions will not be ended on the 25th, and it is the duty of the sheriff to attend. I will follow all your hints about Mr Sawbridge. —I am sorry to differ so much from you about press warrants. I own that I have warmly gone through that opposition upon the clear conviction that every argument alledged for the legality of the press warrant would do equally well for ship money. I believe JUNIUS as sincere as myself; I will therefore be so far from quarrelling with him for any difference of opinion, that, when I find we disagree, I will act with double caution, and some distrust of the certainty of my being clearly in the right.

I hope the sheriff's letter to Mr Akerman has your approbation. Does JUNIUS wish for any dinner or ball tickets for the lord mayor's day, for himself, or friends, or a favourite, or Junia? The day will be worth observation. Whether *cretâ an carbone notandus*, I do not know; but *the people, Sir, the people are the sight.* How happy should I be to see my Portia here dance a graceful minuet with JUNIUS BRUTUS! but JUNIUS is inexorable and I sub-

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don, they addressed a short letter to the livery, containing a paragraph respecting the military, of which the following is a copy:—

'We have observed with the deepest concern, that a military force has, on several late occasions, been employed by an unprincipled administration, under the pretence of assisting the civil power in carrying the sentence of the laws into execution. The conduct of the present sheriffs, in the remarkable case of the two unhappy men who suffered in July, near Bethnal Green, was truly patriotic. We are determined to follow so meritorious an example, and as that melancholy part of our office will commence in a very few days, we take this opportunity of declaring, that as the constitution has entrusted us with the whole power of the county, we will not, during our sheriffalty, suffer any part of the army to interfere, or even to attend, as on many former occasions, on the pretence of aiding or assisting the civil magistrate. This resolution we declare to the public, and to administration, to prevent, during our continuance in office, the sending of any detachments from the regular forces on such a service, and the possibility of all future alarming disputes. The civil power of this country we are sure is able to support itself and a good government. The magistrate, with the assistance of those in his jurisdiction, is by experience known to be strong enough to enforce all legal commands, without the aid of a standing army. Where that is not the case, a nation must sink into an absolute military government, and every thing valuable to the subject be at the mercy of the soldiery and their commander. We leave to our brave countrymen of the army the glory of conquering our foreign enemies. We pledge ourselves to the public for the faithful and exact discharge of our duty in every emergency without their assistance. We desire to save them a service we know they detest, and we take on ourselves the painful task of those unpleasing scenes, which our office calls upon us to superintend. The laws of our country shall, in all instances during our sheriffalty, be solely enforced by the authority and vigour of the civil magistrate.'

mit. I would send your tickets to Woodfall.

To-morrow I go with the lord mayor and my brother sheriff to Rochester to take up our freedoms. We return on Sunday night.

I entreat of JUNIUS to favour me with every idea, which occurs to him for the common cause, in every particular relative to my conduct. He shall find me no less grateful than ductile.

JOHN WILKES.

No. 77.

TO J. WILKES, ESQ.

London, 21 *October*, 1771.

MANY thanks for your obliging offer;—but alas! my age and figure would do but little credit to my partner.—I acknowledge the relation between Cato and Portia, but in truth I see no connexion between JUNIUS and a minuet.

You shall have my opinion whenever you think proper to ask it, freely, honestly, and heartily.—If I were only a party man, I should naturally concur in any enterprise, likely to create a bustle without risk or trouble to myself. But I love the cause independent of persons, and I wish well to Mr Wilkes independent of the cause. Feeling, as I really do, for others where my own safety is provided for, the danger to which I expose a simple printer, afflicts and distresses me. It lowers me to myself to draw another into a hazardous situation which I cannot partake of with him. This consideration will account for my abstaining from * * * * * * * * * so long, and for the undeserved moderation with which I have treated him. I know my ground thoroughly when I affirm that *he alone* is the mark. It is not Bute, nor even the Princess Dowager. It is * * * * * * * * * * * * whom every honest man should detest, and every brave man should attack. Some measures of dignity and prudence must nevertheless be preserved for our own sakes. I think your intended message to the lord mayor is more spirited than judicious, and that it may be attended with consequences which (compared with the single purpose of * * * * * * * * * * * *) are not worth hazarding—*non est tanti*—consider it is not JUNIUS or Jack Wilkes, but a grave sheriff (for *grave* you should be) who marks his entrance into office with a direct outrage to the * * * * * * * * * * * * * * * * * * ; that it is only an outrage, and leads to nothing.—Will not courtiers take advantage? Will not Whigs be offended? And whether offended or not, will not all parties pretend to condemn you? If *measures and not men* has *any* meaning (and I own it has very little), it must hold particularly in the case of * * * * * * * * * ; and if truth and reason be on one side, and all the common-place topics on the other, can you doubt to which side the multitude will incline? Besides that it is too early to begin this kind of attack, I confess I am anxious for your safety. I know that in the ordinary course of law they cannot hurt you; but did the idea of a Bill of Banishment never occur to you? And don't you think a demonstration of this kind on your part might furnish government with a specious pretence for destroying you at once, by a summary proceeding? Consider the measure coolly and then determine.

If these loose thoughts should not weigh with you as much as I could wish, I would then recommend a little alteration in the message. I would have it stated thus:—

'*Prince's Court*, 24 *October*, 1771.

'Mr Wilkes presents his duty to the Lord Mayor, and flatters himself he shall be honoured with his Lordship's approbation, if he prefers the real service of his country to-morrow in the administration of justice at the Old Bailey, to the vain parade of a procession to St Paul's.—With the warmest attachment to the House of Hanover, and the most determined allegiance to the chief magistrate, he hopes it will not be thought incumbent on him to take an active part in celebrating the accession of a prince, under whose inauspicious

reign the English constitution has been grossly and deliberately violated, the civil rights of the people no less daringly invaded, and their humble petitions for redress rejected with contempt.'—

In the first part, *to ask a man's leave to prefer the real service of our country to a vain parade*, seems, if serious, too servile ;—if jest, unseasonable, and rather approaching to burlesque.—The rest appears to me not less strong than your own words, and better guarded in point of safety, which you neglect too much.—I am now a little hurried, and shall write to you shortly upon some other topics.

JUNIUS.

No. 78.

TO JUNIUS.

Prince's Court, Monday Morning, Nov. 4.

ON my return home last night I had the very great pleasure of reading the Dedication and Preface which Mr Woodfall left for me. I am going with the city officers to invite the little great to the custard on Saturday. *Perditur hoc inter misero lux.* I shall only add, *accepi, legi, probavi.* I am much honoured by the polite attention of JUNIUS.[1]

No. 79.

TO J. WILKES, ESQ.

6 *November*, 1771.

I ENTREAT you to procure for me copies of the informations against Eyre before the lord mayor. I presume they were taken in writing. If not, I beg you will favour me with the most exact account of the substance of them, and any observations of your own that you think material. If I am right in my facts, I answer for my law, and mean to attack lord Mansfield as soon as possible.

My American namesake is plainly a man of abilities, though I think a little unreasonable, when he insists upon more than an absolute surrender of the fact. I agree with him that it is a hardship on the Americans to be taxed by the British legislature ; but it is a hardship inseparable in theory from the condition of colonists, in which they have voluntarily placed themselves. If emigration be no crime to deserve punishment, it is certainly no virtue to claim exemption ; and however it may have proved eventually beneficial, the mother country was but little obliged to the intentions of the first emigrants. But, in fact, change of place does not exempt from subjection :—the members of our factories settled under foreign governments, and whose voluntary banishment is much more laudable with regard to the mother country, are taxed with the laws of consulage. *Au reste*, I see no use in fighting this question in the newspapers, nor have I time. You may assure Dr Lee, that to *my* heart and understanding the names of American and Englishman are synonymous, and that as to any future taxation of America, I look upon it as near to impossible as the highest improbability can go.

I hope that, since he has opposed me where he thinks me wrong, he will be equally ready to assist me when he thinks me right. Besides the fallibility natural to us all, no man writes under so many disadvantages as I do. I cannot consult the learned, I cannot directly ask the opinion of my acquaintance, and in the newspapers I never am assisted.

Those who are conversant with books, well know how often they mislead us, when we have not a living monitor at hand to assist us in comparing practice with theory.

No. 80.

TO JUNIUS.

Prince's Court, Wednesday, Nov. 6.

SIR,

I DO not delay a moment giving you the information you wish. I enclose a copy of Eyre's commitment. Nothing else in this business has been reduced to writing.

[1] Upon this letter was written by Mr Wilkes, 'On returning JUNIUS the Dedication and Preface he sent me.'

The examination was before the sitting justice, alderman Hallifax, at Guildhall; and it is not usual to take it in writing on account of the multiplicity of business there. The paper was found upon him. He was asked what he had to say in his defence; his answer was, I hope you will bail me. Mr Holder, the clerk, answered, That is impossible. There never was an instance of it, when the person was taken in the fact, or the goods found upon him. I believe Holder's law is right. Alderman Hallifax likewise granted a search warrant prior to the examination. At Eyre's lodgings many more quires of paper were found, all marked on purpose, from a suspicion of Eyre. After Eyre had been some time at Wood Street Compter, a key was found in his room there, which appears to be a key to the closet at Guildhall, from whence the paper was stolen. The lord mayor refused to bail Eyre, but I do not find that any fresh examination was taken at the Mansion-house. The circumstances were well known. I was present at the examination before Hallifax, but as sheriff could not interfere, only I whispered Hallifax he could not bail Eyre. *Anglus* in to-day's Public Advertiser told some particulars I had mentioned. I did not know of that letter; it is Mr Bernard's of Berkeley Square. As to the Americans, I declare I know no difference between an inhabitant of Boston in Lincolnshire, and of Boston in New England. I honour the Americans; but our ancestors who staid and drove out the tyrant, are justly greater in merit and fame than those who fled and deserted their countrymen. Their future conduct has been a noble atonement, and their sons have much surpassed them. I will mention to Dr Lee what you desire. You shall have every communication you wish from me. Yet I beg JUNIUS to reflect a moment. To whom am I now writing? I am all doubt and uncertainty, though not mistrust or suspicion. I should be glad to canvass freely every part of a great plan. I dare not write it to a man I do not know, of whose connexions I am totally ignorant. I differ with JUNIUS in one point: I think by being concealed he has infinite advantages which I want. I am on the Indian coast, where, from the fire kindled round me, I am marked out to every hostile arrow which knows its way to me. Those who are in the dark are safe, from the want of direction of the pointless shaft. I followed JUNIUS's advice about the card on the anniversary of the king's accession. I dropped the idea. I wish to know his sentiments about certain projects against the usurped powers of the House of Lords. The business is too vast to write, too hazardous to communicate, to an unknown person. JUNIUS will forgive me. What can be done?—Alas! where is the man, after all Wilkes has experienced, in whose friendly bosom he can repose his secret thoughts, his noble but most dangerous designs? The person most capable he can have no access to, and all others he will not trust. I stand alone, *isolé* as the French call it, a single column, unpropped, and perhaps nodding to its fall.

JOHN WILKES.

No. 81.

TO J. WILKES, ESQ.

9 *November*, 1771.

I AM much obliged to you for your information about Eyre. The facts are as I understood them, and, with the blessing of God, I will pull Mansfield to the ground.

Your offer to communicate your plan against the Lords was voluntary. Do now as you think proper. I have no resentments but against the common enemy, and will assist you in any way that you will suffer yourself to be assisted. When you have satisfied your understanding that there may be reasons why JUNIUS should attack the King, the Minister, the Court of King's Bench, and the House of Commons, in the way that I have done, and yet should desert or betray the man who attacks the House of Lords, I would still appeal to

your heart. Or if you have any scruples about that kind of evidence, ask that amiable daughter whom you so implicitly confide in—*Is it possible that* JUNIUS *should betray me?* Do not conceive that I solicit new employment. I am overcome with the slavery of writing.

Farewell.

No. 82.

TO JUNIUS.

Prince's Court, near Storey's Gate, Westminster, Wednesday, Jan. 15, 1772.

A NECESSARY attention to my health engrossed my time entirely in the few holidays I spent at Bath, and I am rewarded with being perfectly recovered. The repairs of the clay cottage, to which I am tenant for life, seem to have taken place very successfully; and the building will probably last a few more years in tolerable condition.

Yesterday I met the Supporters of the Bill of Rights at the London Tavern. Much discourse passed about the publication of JUNIUS's letter. Dr Lee and Mr Watkin Lewes, who were both suspected, fully exculpated themselves. I believe the publication was owing to the indiscretion of Mr Patrick Cawdron, a linen-draper in Cheapside, who showed it to his partner on the Saturday. The partner copied it on the Sunday, and the Monday following it appeared in the Morning Chronicle. The Gazetteer only copied it from thence. The Society directed a disavowal of their publication of it to be sent to you, and are to take the letter into consideration at the next meeting. I forgot to mention that Mr Cawdron keeps the papers of the Society.

The winter campaign will begin with the next week. I believe that the sheriffs will have the old battle renewed with the Commons, and I suppose the lord mayor and the courtly aldermen will commit the printer for us to release. Another scene will probably open with the Lords. JUNIUS has observed, 'the arbitrary power they have assumed of imposing fines, and committing during pleasure, will now be exercised in its fullest extent.' The progress of the business I suspect will be this—a bitter libel against Pomfret, Denbigh, or Talbot, attacking the peer personally, not in his legislative or judicial capacity, will appear. His Lordship, passion's slave, will complain to the House. They will order the printer into custody, and set a heavy fine. The sheriffs the next morning will go to Newgate, examine the warrant of commitment, and, like the angel to Peter, take the prisoner by the hand, and conduct him out of prison; afterwards they will probably make their appeal to the public against the usurpation of their Lordships, and their entirely setting aside the power of juries in their proceedings.

Are there more furious wild beasts to be found in the upper den than the three I have named? Miller, the printer of the London Evening Post, at No. 2, Queen's Head Passage, Paternoster Row, is the best man I know for this business. He will print whatever is sent him. He is a fine Oliverian soldier. I intend a manifesto with my name on Monday to give spirit to the printers, and to show them who will be their protector. I foresee it will make the two Houses more cautious, but it is necessary for our friends, and the others shall be baited till they are driven into the snare. Adieu.

JOHN WILKES.

LETTERS

OF

JUNIUS.

CAREFULLY COLLATED WITH

THE AUTHOR'S CORRECTED EDITION.

DEDICATION

TO THE

ENGLISH NATION.

I DEDICATE to You a collection of Letters, written by one of Yourselves for the common benefit of us all. They would never have grown to this size, without Your continued encouragement and applause.[1] To me they originally owe nothing, but a healthy, sanguine constitution. Under *Your* care they have thriven. To *You* they are indebted for whatever strength or beauty they possess. When Kings and Ministers are forgotten, when the force and direction of personal satire is no longer understood, and when measures are only felt in their remotest consequences, this book will, I believe, be found to contain principles, worthy to be transmitted to posterity. When You leave the unimpaired, hereditary freehold to Your children, You do but half Your duty. Both liberty and property are precarious, unless the possessors have sense and spirit enough to defend them.—This is not the language of vanity. If I am a vain man, my gratification lies within a narrow circle. I am the sole depositary of my own secret, and it shall perish with me.[2]

If an honest, and, I may truly affirm, a laborious zeal for the public service has given me any weight in Your esteem, let me exhort and conjure You never to suffer an invasion of Your political constitution, however minute the instance may appear, to pass by, without a determined, persevering resistance. One precedent creates another. They soon accumulate, and constitute law. What yesterday was fact, to-day is doctrine. Examples are supposed to justify the most dangerous measures, and where they do not suit exactly, the defect is supplied by analogy.—Be assured that the laws, which protect us in our civil rights, grow out of the constitution, and that they must fall or flourish with it. This is not the cause of faction, or of party, or of any individual, but the common interest of every man in Britain. Although the King should continue to support his present system of government, the period is not very distant,

[1] See Private Letter, No. 5, in which the author, shortly after his appearance before the public under the signature of JUNIUS, expresses an intention to discontinue writing under that name; nor would he in all probability have persevered, but for the reason assigned above. —EDIT.

[2] This must be understood only in general terms. From the following passage in Private Letter, No. 8, it is obvious that there were persons to whom the writer unbosomed himself; although there is still every reason for believing that such persons formed, as he has expressed it above, only *a narrow circle.*—'The last letter you printed was idle and improper, and, *I assure you, printed against my own opinion. The truth is, there are people about me, whom I would wish not to contradict, and who had rather see JUNIUS in the papers, ever so improperly, than not at all.*'—EDIT.

at which You will have the means of redress in Your own power. It may be nearer perhaps than any of us expect, and I would warn you to be prepared for it. The King may possibly be advised to dissolve the present parliament a year or two before it expires of course, and precipitate a new election, in hopes of taking the nation by surprise. If such a measure be in agitation, this very caution may defeat or prevent it.[1]

I cannot doubt that You will unanimously assert the freedom of election, and vindicate Your exclusive right to chuse Your representatives. But other questions have been started, on which Your determination should be equally clear and unanimous. Let it be impressed upon Your minds, let it be instilled into Your children, that the liberty of the press is the *palladium* of all the civil, political, and religious rights of an Englishman, and that the right of juries to return a general verdict, in all cases whatsoever, is an essential part of our constitution, not to be controuled or limited by the judges, nor in any shape questionable by the legislature. The power of King, Lords, and Commons is not an arbitrary power.[2] They are the trustees, not the owners of the estate. The fee-simple is in US. They cannot alienate, they cannot waste. When we say that the legislature is *supreme*, we mean that it is the highest power known to the constitution:—that it is the highest in comparison with the other subordinate powers established by the laws. In this sense, the word *supreme* is relative, not absolute. The power of the legislature is limited, not only by the general rules of natural justice, and the welfare of the community, but by the forms and principles of our particular constitution. If this doctrine be not true, we must admit, that King, Lords, and Commons have no rule to direct their resolutions, but merely their own will and pleasure. They might unite the legislative and executive power in the same hands, and dissolve the constitution by an act of parliament. But I am persuaded You will not leave it to the choice of seven hundred persons, notoriously corrupted by the crown, whether seven millions of their equals shall be freemen or slaves. The certainty of forfeiting their own rights, when they sacrifice those of the nation, is no check to a brutal degenerate mind. Without insisting upon the extravagant concession made to Harry the Eighth, there are in-

[1] The object to have been accomplished by obtaining a new parliament does not appear to have been of sufficient force to have precipitated such a measure; and was, in consequence, relinquished: on which account the parliament in question was not dissolved till September 30th, 1774, after having existed six years, four months, and twenty-one days. Many of the letters of JUNIUS turning upon the elective franchise, and the necessity of triennial parliaments, the reader may not be displeased to see, at one view, the respective dates of the dissolution and re-assembling of the several parliaments during the present reign.

Met.	Dissolved.	Existed. Y.	M.	D.
26 Oct. 1760	20 March 1761	0	4	25
19 May 1761	11 March 1768	6	9	22
10 May 1768	30 Sept. 1774	6	4	21
29 Nov. 1774	1 Sept. 1780	5	9	4
31 Oct. 1780	25 March 1784	3	4	26
18 May 1784	11 June 1790	6	0	25
10 Aug. 1790	20 May 1796	5	11	3
12 July 1796	31 Dec. 1800[1]	5	11	18
UNITED KINGDOM, G.B. & I.				
22 Jan. 1801	29 June 1802			
31 Aug. 1802	24 Oct. 1806	4	2	25
15 Dec. 1806	29 April 1807	0	4	15
22 June 1807	29 Sept. 1812	5	3	7
24 Nov. 1812				

[1] *Stat.* 39-40 *Geo. III. c.* 67. *Art.* 4.—EDIT.

[2] This positive denial, of an arbitrary power being vested in the legislature, is not in fact a new doctrine. When the earl of Lindsey, in the year 1675, brought a bill into the House of Lords, *To prevent the dangers which might arise from persons disaffected to government*, by which an oath and penalty was to be imposed upon the members of both Houses, it was affirmed, in a protest signed by twenty-three lay-peers (my lords the bishops were not accustomed to protest), 'That the privilege of sitting and voting in parliament was an honour they had by birth, and a right so inherent in them, and inseparable from them, *that nothing could take it away*, but what, by the law of the land, must withal take away their lives, and corrupt their blood.'—These noble peers (whose names are a reproach to their posterity) have, in this instance, solemnly denied the power of parliament to alter the constitution. Under a particular proposition, they have asserted a general truth, in which every man in England is concerned.

stances, in the history of other countries, of a formal, deliberate surrender of the public liberty into the hands of the sovereign. If England does not share the same fate, it is because we have better resources, than in the virtue of either House of parliament.

I said that the liberty of the press is the *palladium* of all Your rights, and that the right of juries to return a general verdict is part of Your constitution. To preserve the whole system, You must correct Your legislature. With regard to any influence of the constituent over the conduct of the representative, there is little difference between a seat in parliament for seven years and a seat for life. The prospect of Your resentment is too remote; and although the last session of a septennial parliament be usually employed in courting the favour of the people, consider that, at this rate, Your representatives have six years for offence, and but one for atonement. A death-bed repentance seldom reaches to restitution. If you reflect that in the changes of administration, which have marked and disgraced the present reign, although your warmest patriots have, in their turn, been invested with the lawful and unlawful authority of the crown, and though other reliefs or improvements have been held forth to the people, yet that no one man in office has ever promoted or encouraged a bill for shortening the duration of parliaments, but that (whoever was minister) the opposition to this measure, ever since the septennial act passed, has been constant and uniform on the part of government,—You cannot but conclude, without the possibility of a doubt, that long parliaments are the foundation of the undue influence of the crown. This influence answers every purpose of arbitrary power to the crown, with an expense and oppression to the people, which would be unnecessary in an arbitrary government. The best of our ministers find it the easiest and most compendious mode of conducting the King's affairs ; and all ministers have a general interest in adhering to a system, which of itself is sufficient to support them in office, without any assistance from personal virtue, popularity, labour, abilities, or experience. It promises every gratification to avarice and ambition, and secures impunity.—These are truths unquestionable.—If they make no impression, it is because they are too vulgar and notorious. But the inattention or indifference of the nation has continued too long. You are roused at last to a sense of Your danger.—The remedy will soon be in Your power. If JUNIUS lives, You shall often be reminded of it. If, when the opportunity presents itself, You neglect to do Your duty to Yourselves and to your posterity,—to God and to Your country,—I shall have one consolation left, in common with the meanest and basest of mankind.—Civil liberty may still last the life of

JUNIUS.

PREFACE.

THE encouragement given to a multitude of spurious, mangled publications of the Letters of JUNIUS, persuades me, that a complete edition, corrected and improved by the author, will be favourably received. The printer will readily acquit me of any view to my own profit.[1] I undertake this troublesome task, merely to serve a man who has deserved well of me, and of the public; and who, on my account, has been exposed to an expensive, tyrannical prosecution. For these reasons, I give to *Mr Henry Sampson Woodfall*, and to him alone, my right, interest, and property in these letters, as fully and completely, to all intents and purposes, as an author can possibly convey his property in his own works to another.

This edition contains all the letters of *Junius*, *Philo Junius*, and of *sir William Draper* and *Mr Horne* to *Junius*, with their respective dates, and according to the order in which they appeared in the Public Advertiser.[2] The auxiliary part of *Philo Junius* was indispensably necessary to defend or explain particular passages in JUNIUS, in answer to plausible objections; but the subordinate character is never guilty of the indecorum of praising his principal. The fraud was innocent, and I always intended to explain it.[3] The notes will be found not only useful, but necessary. References to facts not generally known, or allusions to the current report or opinion of the day, are in a little time unintelligible. Yet the reader will not find himself overloaded with explanations. I was not born to be a commentator, even upon my own works.

It remains to say a few words upon the liberty of the press. The daring spirit, by which these letters are supposed to be distinguished, seems to require that something serious should be said in their defence. I am no lawyer by profession, nor do I pretend to be more deeply read than every English gentleman should be in the laws of his country. If therefore the principles I maintain are truly constitutional, I shall not think myself answered, though I should be convicted of a mistake in terms, or of misapplying the language of the law. I speak to the plain understanding of the people, and appeal to their honest, liberal construction of me.

Good men, to whom alone I address myself, appear to me to consult their piety as little as their judgment and experience, when they admit the great and essential advantages accruing to society from the freedom of the press, yet indulge themselves in peevish or passionate exclamations against the abuses of it. Betraying an unreasonable expectation of benefits, pure

[1] See Private Letter, No. 59, and note appended to it.—EDIT.

[2] From this order there are two or three deviations, but too trivial to be worth pointing out. —EDIT.

[3] It was, in point of fact, publicly avowed by the author, in the following notice inserted in the Public Advertiser, October 20, 1771:

'We have the author's consent to say, that the letters published in this paper under the signature of *Philo Junius*, are written by *Junius*.' —EDIT.

and entire, from any human institution, they in effect arraign the goodness of Providence, and confess that they are dissatisfied with the common lot of humanity. In the present instance they really create to their own minds, or greatly exaggerate, the evil they complain of. The laws of England provide, as effectually as any human laws can do, for the protection of the subject, in his reputation, as well as in his person and property. If the characters of private men are insulted or injured, a double remedy is open to them, by *action* and *indictment*. If, through indolence, false shame, or indifference, they will not appeal to the laws of their country, they fail in their duty to society, and are unjust to themselves. If, from an unwarrantable distrust of the integrity of juries, they would wish to obtain justice by any mode of proceeding, more summary than a trial by their peers, I do not scruple to affirm, that they are in effect greater enemies to themselves, than to the libeller they prosecute.

With regard to strictures upon the characters of men in office and the measures of government, the case is a little different. A considerable latitude must be allowed in the discussion of public affairs, or the liberty of the press will be of no benefit to society. As the indulgence of private malice and personal slander should be checked and resisted by every legal means, so a constant examination into the characters and conduct of ministers and magistrates should be equally promoted and encouraged. They, who conceive that our newspapers are no restraint upon bad men, or impediment to the execution of bad measures, know nothing of this country. In that state of abandoned servility and prostitution, to which the undue influence of the crown has reduced the other branches of the legislature, our ministers and magistrates have in reality little punishment to fear, and few difficulties to contend with, beyond the censure of the press, and the spirit of resistance which it excites among the people. While this censorial power is maintained, to speak in the words of a most ingenious foreigner, both minister and magistrate is compelled, in almost every instance, *to chuse between his duty and his reputation*. A dilemma of this kind, perpetually before him, will not indeed work a miracle upon his heart, but it will assuredly operate, in some degree, upon his conduct. At all events, these are not times to admit of any relaxation in the little discipline we have left.

But it is alledged, that the licentiousness of the press is carried beyond all bounds of decency and truth;—that our excellent ministers are continually exposed to the public hatred or derision;—that, in prosecutions for libels on government, juries are partial to the popular side; and that, in the most flagrant cases, a verdict cannot be obtained for the King.—If the premises were admitted, I should deny the conclusion. It is not true that the temper of the times has, in general, an undue influence over the conduct of juries. On the contrary, many signal instances may be produced of verdicts returned for the King, when the inclinations of the people led strongly to an undistinguishing opposition to government. Witness the cases of *Mr Wilkes* and *Mr Almon*.[1] In the late prosecutions of the printers of my address to a great personage, the juries were never fairly dealt with.—*Lord Chief Justice Mansfield*, conscious that the paper in question contained no treasonable or libellous matter, and that the severest parts of it, however painful to the King, or offensive to his servants, were strictly true,

[1] The case of Wilkes here alluded to is his prosecution for having written an obscene parody on Pope's Essay on Man, which he called 'An Essay on Woman.' Almon was prosecuted merely for having sold in a magazine, entitled The London Museum, which he did not print, a transcript of JUNIUS's Letter to the King, first published in the Public Advertiser, and thence copied into a variety of other newspapers; and the result was a verdict against him, although it did not appear to the court that he was privy to the sale, or even knew that the magazine, sold at his shop, contained the Letter to the King. —EDIT.

would fain have restricted the jury to the finding of special facts, which, as to *guilty* or *not guilty*, were merely indifferent. This particular motive, combined with his general purpose to contract the power of juries, will account for the charge he delivered in *Woodfall's* trial.[1] He told the

[1] Memorable as this charge is on various accounts, and especially as having laid the foundation for a very warm and animated discussion both in and out of parliament, it is very extraordinary that it is no where reported in our senatorial documents, and is indeed difficult to be obtained from any other quarter. The fact is, that although it was laid by lord Mansfield on the table of the House of Lords, when summoned at his request to take it into consideration, yet as he did not make any express motion upon the subject, it was not entered into the journals, and was only left with the clerk for any noble lord to take a copy of it, who was desirous of so doing. The reader, therefore, will feel gratified by being put into possession of the charge, together with lord Camden's interrogatories in regard to it, proposed to the lord chief justice in his proper place in the Upper House, and to which the latter did not chuse to make any reply. To these it may be also advantageous to subjoin a summary of the speeches of the late Mr Fox and Mr Burke upon the same subject, when introduced into the House of Commons, as containing, in a condensed form, the argument of the opposite sides of the question. Mr Fox, it is well known, was, at this period, in favour of the ministry; but the political error he then laboured under, he nobly redeemed a few years afterwards, and amply atoned for to the public, by the excellent and truly constitutional bill 'to remove doubts respecting the functions of juries in cases of libel,' introduced into the senate in the session of 1791, as more particularly noticed in another part of this work, and which (by his indefatigable perseverance was at length carried through the legislature) has nullified lord Mansfield's doctrine, and set the important question completely at rest.

Mr Woodfall, as a party concerned, modestly forbore to offer any statement of this celebrated trial in the Public Advertiser, in consequence of which the writer is obliged to avail himself of the following extract, though very imperfectly given, from a contemporary journal.

An account of the trial at Guildhall of the original publisher of JUNIUS'S *Letter to the King.*

Yesterday morning, [June 13, 1770,] about nine o'clock, came on before lord Mansfield in the Court of King's Bench at Guildhall, the trial of Mr Woodfall, the original printer of JUNIUS'S letter in the Public Advertiser of December 19. Only seven of the special jury attended, viz. William Bond, foreman; Peter Cazalet, Alexander Peter Allen, Frederick Commerell, Hermen Meyer, John Thomas, and Barrington Buggin.

Upon which the following five talesmen were taken out of the box, viz. William Hannard, Paul Verges, William Sibley, William Willett, and William Davis.

The trial was opened by Mr Wallis.

Nathaniel Crowder swore he bought the paper of Mr Woodfall's publishing servant, whom he named.

Mr Harris proved that the duty for the advertisements and stamps were paid by Mr Woodfall. And

A clerk of sir John Fielding proved, by a receipt from Mr Woodfall, his concern in and for the paper.

The publication and direction of the paper by Mr Woodfall being thus proved,

Lord Mansfield, in his charge, told the jury, That there were only two points for their consideration: the first, the printing and publishing the paper in question; the second, the sense and meaning of it: That as to the charges of its being malicious, seditious, &c., they were inferences in law about which no evidence need be given, any more than that part of an indictment need be proved by evidence, which charges a man with being moved by the instigation of the Devil: That therefore the printing and sense of the paper were alone what the jury had to consider of; and that if the paper should really contain no breach of the law, that was a matter which might afterwards be moved in arrest of judgment: That he had no evidence to sum up to them, as the defendant's counsel admitted the printing and publication to be well proved: That as to the sense, they had not called in doubt the manner in which the dashes in the paper were filled up in the record, by giving any other sense to the passages; if they had, the jury would have been to consider which application was the true one, that charged in the information, or suggested by the defendant: That the jury might now compare the paper with the information: That if they did not find the application wrong, they must find the defendant guilty; and if they did find it wrong, they must acquit him: That this was not the time for alleviation or aggravation, that being for future consideration: That every subject was under the controul of the law, and had a right to expect from it protection for his person, his property, and his good name: That if any man offended the laws, he was amenable to them, and was not to be censured or punished, but in a legal course: That any person libelled had a right either to bring a civil or a criminal prosecution: That in the latter, which is by information or indictment, it is immaterial whether the publication be false or true: That it is no defence to say it is true, because it is a breach of the peace, and therefore criminal; but in a civil prosecution, it is a defence to say the charges in the publication are true; because the plaintiff there sues only for a pecuniary satisfaction to himself; and that this is the distinction as to that nature of defence.—His Lordship

jury, in so many words, that they had nothing to determine, except the fact of *printing and publishing*, and whether or no the *blanks* or *innuendoes* were properly

said, he was afraid it was too true that few characters in the kingdom escaped libels: That many were very injuriously treated—and if so, that the best way to prevent it was by an application to the law, which is open to every man: That the liberty of the press consisted in every man having the power to publish his sentiments without first applying for a licence to any one; but if any man published what was against law, he did it at his peril, and was answerable for it in the same manner as he who suffers his hand to commit an assault, or his tongue to utter blasphemy.'

Between eleven and twelve the jury withdrew; at four the court adjourned; and a little after nine the jury waited on lord Mansfield at his house in Bloomsbury-square, with their verdict, which was *Guilty of* PRINTING *and* PUBLISHING ONLY.

This charge having been laid upon the table of the House of Lords, December 10, 1770, by the lord chief justice, the following questions were put to him, in his place, by lord Camden, on the day ensuing.

1. Does the opinion mean to declare, that upon the general issue of Not Guilty, in the case of a seditious libel, the jury have no right, by law, to examine the innocence or criminality of the paper, if they think fit, and to form their verdict upon such examination?

2. Does the opinion mean to declare, that in the case above-mentioned, when the jury have delivered in their verdict, *Guilty*, that this verdict has found the fact only and not the law?

3. Is it to be understood by this opinion, that if the jury come to the bar, and say that they find the printing and publishing, but that the paper is no libel, that in that case the jury have found the defendant guilty generally, and the verdict must be so entered up?

4. Whether the opinion means to say, that if the judge, after giving his opinion of the innocence or criminality of the paper, should leave the consideration of that matter, together with the printing and publishing, to the jury, such a direction would be contrary to law?

5. I beg leave to ask, whether dead, and living judges then absent, did declare their opinions in open court, and whether the noble lord has any note of such opinions?

6. Whether they declared such opinions, after solid arguments, or upon any point judicially before them?

To these queries lord Mansfield made no reply, briefly observing, that he would not answer interrogatories.

The subject was introduced into the Lower House, December 6, 1770, on a motion made by Mr serjeant Glynn, 'That a committee should be appointed to enquire into the administration of criminal justice, and the proceedings of the judges in Westminster-hall, particularly in cases relating to the liberty of the press, and the constitutional power and duty of juries.'

In the course of the discussion, the speakers on both sides alluded not only to the charge in Mr Woodfall's case, but also to Mr baron Smythe's conduct in trying a Scotch serjeant at Guildford, which will be found more particularly detailed in the editor's note to JUNIUS's Letter LXVIII. Amongst the chief speakers on this occasion were, as we have already observed, on the side of the ministry, Mr Fox, and on that of the people, Mr Burke. The following summary of their argument, which in truth contains the general argument of the rest, is extracted from a pamphlet entitled *Vox Senatûs*, printed previous to the contest which soon afterwards ensued, between the House of Commons and the printers, respecting the publication of parliamentary debates, and which, in a great measure, led the way to that controversy. The speeches in this pamphlet were altogether reported by the late Mr Wm Woodfall, whose strength of memory, nice accuracy, and rigid impartiality, were equally subjects of commendation, and held in the highest esteem, by the members of both Houses of parliament, to whatever party they might belong, during the many years that he continued to exercise his talents in that most laborious, and we trust we may add, most important branch of public duty.

Mr Fox spoke as follows:—

'We are told by the abettors of this motion, that jealousies, murmurs, and discontents increase and multiply throughout the nation; that the people are under terrible apprehensions that the law is perverted, the juries are deprived of their constitutional powers, that the courts of justice are not sound and untainted; in a word, that the judges have, like a dozen of monstrous Patagonian giants, either swallowed, or are going to swallow up both law and gospel. And how do they prove the truth of these allegations? The manner is pleasant enough. They refer us to their own libellous remonstrances, and to those infamous lampoons and satires, which they have taken care to write and circulate. They modestly substitute themselves in the place of the nation, and call their own complaints the grievances of England. Their meaning is plain enough, and we understand perfectly how all their grievances might be redressed. For my part I am not disposed to take the voice of a miserable faction for the voice of my country. Were the people really dissatisfied, I should be glad to know how I am to ascertain the reality of that dissatisfaction? I must freely confess, that I know no other way but that of consulting this House. Here the people are represented, and here their voice expressed. There is no other criterion but the majority of this assembly, by which we can judge of their sentiments. This man, in order to answer one purpose, and

filled up in the information;—but that, whether the defendant had committed a *crime* or not, was no matter of consideration to twelve men, who yet, upon their

that man, in order to answer another, will tell you that a general cry has gone abroad against certain men and measures; but will you be so credulous as to take him upon his word, when you can easily penetrate his interested views and find him the original and prime mover of all the clamour? I can easily trace the authors of the outcry raised against the judges; and I would point them out, had not they, as well as their selfish ends, been already exposed in all their deformity. Why, then, should we hesitate to put a negative upon a question which sprung from such a low source? from dirt it came, and to dirt let it return. As to myself, I certainly will, as I can never acknowledge for the voice of the nation, what is not echoed by the majority of the House; and I do not find that the majority of us entertain any suspicions, much less terrible apprehensions, of the judges; though, if there were any just foundation for complaint, we must certainly have been better informed of it than the people.

'Indeed if the adoption of this enquiry would answer any good purpose, I should not be such a violent opposer, convinced as I am that the judges are blameless. But I am fully persuaded, that would not be the case. For, as I have shown, it would be an attempt to remove discontents which do not exist but among those who have generated, fostered, and reared them up to their present magnitude, and would not, therefore, be satisfied, though Justice, though Astrea herself, should descend naked from heaven to exculpate our judges. And what is more, it would, on their own principles, prove fruitless and nugatory, even if we suppose the people to be really discontented. For what have they been doing for these two last years, but ringing constantly in our ears the contempt in which we are held by the people? have they not made these walls echo with the terms of reproach, which they alledged were cast upon us by men of every degree, by high and low, rich and poor, learned and unlearned? were we not, and are we not still, according to their account, held in universal detestation and abhorrence? does not the whole empire, from one end to the other, reckon us equally weak and wicked? in a word, are we not become an abomination in the land? such is the language of the minority. How can they, with a serious face, desire us to undertake this enquiry, in order to satisfy the people? the people, if their former assertions are to be credited, will receive no good at our hands. They will regard what we say no more than a knot of coffee-house politicians. We are too ridiculous, as well as odious, to do any thing that will appear gracious in their eyes. What is the conclusion to be drawn? Let us satisfy ourselves. Let us act according to the dictates of honour and conscience, and be at peace with our own minds. It is thus that we shall sooner or later regain the confidence of our constituents, if we have lost it;

and not by humouring, as foolish nurses humour great lubberly boys, the wayward whims of a misled multitude. The characteristic of this House should be a firm and manly steadiness, an unshaken perseverance in the pursuit of great and noble plans of general utility, and not a wavering inconstant fluctuation of counsels, regulated by the shifting of the popular breeze. If we are not to judge for ourselves, but to be ever at the command of the vulgar, and their capricious shouts and hisses, I cannot see what advantage the nation can reap from a representative body, which they might not have reaped from a tumultuous assembly of themselves, collected at random on Salisbury Plain or Runningmede. It is very well known, that such an irregular and riotous crowd are but very ill qualified to judge truly of their own interest, or to pursue it, even when they form a right judgment. They are but very unsteady guardians of liberty and property. Do you want proofs? consult the English history, and you will find them in every page.'

Mr Burke, in answer to Mr Fox, and in support of the motion, spoke as follows:—

'The subject of our present debate is, in my opinion, a matter of a very serious and important nature; and it is not therefore to be dismissed without mature deliberation. The honourable gentleman who introduced it, boldly arraigns the general conduct of our courts of justice; and the gentleman who seconded him, as boldly arraigns the conduct of a particular judge. Either charge should be alone sufficient to excite our closest attention. What effect ought then both in conjunction to produce? they ought to impel us, if not to enquiry, at least to a minute and elaborate discussion. For what has the mover of the question arraigned? he has arraigned the general principles of jurisprudence now adopted by our judges, and has, *in his way*, proved them not only unconstitutional, but illegal. He has laid before you two heads of accusation, two points, in which he conceives the judges have not done their duty. These two points are *a rule of law*, and *a rule of evidence*, authorized, as he asserts, neither by precedent nor by the spirit of liberty. First he tells you that judges act illegally and unconstitutionally, in directing juries not to take cognizance of the malice or innocence of a culprit's intention in cases of libels; and secondly he tells you, that in cases of libels, they act illegally and unconstitutionally in acquainting the jury that the law infers guilt from the *primâ facie* evidence; a position by which masters become, even in criminal cases, responsible for the conduct of their servants.

'These are the doctrines which he arraigns, and which are now in issue before you. He asserts that they are not sanctioned by precedent. But here his reading seems not to have

oaths, were to pronounce their peer *guilty* or *not guilty*. When we hear such nonsense delivered from the bench, and find it supported by a laboured train of sophistry,

been sufficiently extensive. There are precedents, and those too, I fear, of too much weight and authority. You have heard lord chief justice Raymond's words quoted, and nothing can be more explicit than they are, in favour of these doctrines. What! you will say, can these be the doctrines of lord Raymond, and yet be unknown to the learned serjeant? Why it is impossible. A case so much in point could never escape his industry and learning: and to render the thing certain, he gives the assertion a flat contradiction. But I say that it is not only possible and probable, but certain; and let me tell you, that the way to overturn the credit of grave and universally esteemed historians, is not to give them a flat contradiction. The most positive asseverations of a modern go for nothing, when they are unsupported by the contradictory testimony of some ancient contemporary author. Was this heresy then adopted as an article of faith, by Raymond? Yes, Sir, it was; the fact is too clear, too well known, to bear dispute. Nor was it an innovation introduced by that great judge. No; he received it as a legacy from still greater judges, and among the rest, from the very bulwark of the revolution, lord Holt.

'But what though this opinion has been sanctioned by a series of precedents; what though it has been embraced by men as deep skilled in law and casuistry as remarkable for inflexible patriotism; have not the greatest lawyers, the profoundest casuists, and the staunchest patriots erred? Why then should the judges be thought exempted from the common lot of humanity? Why should they be deemed infallible more than other mortals? believe me, the wisdom of the whole nation can see farther than the sages of Westminster-hall. In a constitutional point like this, the collective knowledge and penetration of the people at large, are more to be depended on than the boasted discernment of all the bar. The reason is clear. Their eyes are not dazzled by the prospect of an opposite interest. The crown has no lure sufficiently tempting to make them forget themselves and the general good.

'Why then should not we, on this occasion, listen to their voice, as it is heard sufficiently loud and distinct? Because, forsooth, they have no voice! because their sentiments are only to be gathered from the determinations of the majority of this House! because after a general election is closed, they have no legal existence, and have therefore no other mouth but that of their representatives! Strange doctrine! What then is become of petitioning? Are they not legally entitled to that right? You cannot deny it, without denying the authority of the Bill of Rights. How then can you pretend that they have no legal voice, but that of their representatives? they have both a real and a legal voice, and they have uttered that voice. Consult the *History of the reign of George the Third.* In that performance, which will be an everlasting monument of the folly, incapacity, and pernicious politics of our late and present ministers, you will find it demonstrated, that the majority of Englishmen have petitioned the king, and have consequently expressed their own sentiments by their own mouth, without the intervention of their deputies. By what rule then does the majority of this House square its conduct, when it acts in direct opposition to the majority of the people? by that rule of arithmetic, which, by its almighty fiat, overturned the laws of nature, decreed 296 to be greater than 1146, gave us colonel Luttrell for John Wilkes, a cuckoo in a magpy's nest to suck its eggs.

'That there should be found gentlemen who would annihilate the people, and acknowledge no other voice but that of this House, is to me not at all surprising! because the conduct of the most violent sticklers for this doctrine, has not deserved much applause or favour from them. But that they should have renounced reason and common sense so far, as to maintain that the majority of this assembly is the only organ by which their sentiments can be expressed, is to me truly surprising: for where, in the name of wonder, should the House acquire the necessary knowledge or intelligence? is it by turning over these musty volumes, or by rummaging these gaudy boxes which lie on your table? No; they contain none of these mysteries. How then are they to be explored? Is there any virtue or inspiration in these benches or cushions, by which they are communicated? or does the echo of these walls whisper the secret in your ears? No; but the echo of every other wall, the murmur of every stream, the shouts, ay, and the hoots and hisses, of every street in the nation, ring it in your ears, and deafen you with their din. *Deafen you*, did I say? alas! you were deaf before, or rather dead, else you would have heard; for their voice is loud enough to waken almost the dead. For shame, gentlemen, let us hear no more such weak reasonings and sophistical refinements. Far from producing conviction, they cannot even extort a smile, except peradventure at the author, who resembles a hunter that would catch an elephant in toils made of cobweb. The people have a voice of their own, and it must, nay it will, be sooner or later heard; and I, as in duty bound, will always exert every nerve, and every power, of which I am master, to hasten the completion of so desirable an event. My reverence for the judges, against whom the popular cry is now so loud, will not deter me; because I know all judges are but men. Not only former judges, but juries have erred. Why not the present? Yes, Sir, juries have erred, and they may err again. When they do, I shall be as ready to enquire into their conduct, as I am now into that of the judges. Gentlemen may talk of their great respect for juries, and their readiness to acquiesce in their determinations;

which a plain understanding is unable to follow, and which an unlearned jury, however it may shock their reason, cannot be supposed qualified to refute, can it be wondered that they should return a verdict, perplexed, absurd, or imperfect?—*Lord Mansfield* has not yet explained to the world, why he accepted of a verdict, which the court afterwards set aside as illegal, and which, as it took no notice of the *innuendoes*, did not even correspond with his own charge. If he had known his duty he should have sent the jury back.—I speak advisedly, and am well assured that no lawyer of character, in Westminster-hall, will contradict me. To show the falsehood of *lord Mansfield's* doctrine, it is not necessary to enter into the merits of the paper which produced the trial. If every line of it were treason, his charge to the jury would still be false, absurd, illegal, and unconstitutional. If I stated the merits of my letter to *the King*, *I should imitate* LORD MANSFIELD, *and*[1] TRAVEL OUT OF THE

but I am not disposed to be so complaisant, I will make no man, nor any set of men, a compliment of the constitution. It is too valuable an inheritance to be so lightly relinquished. When the actions of juries are praiseworthy, let them be applauded; when they are criminal, let them be punished. Popularity should not be bought at so high a price. For my own part, let the malicious and the ungenerous say what they will, I am a blind follower of no man, nor a bond slave to any party. I have always acted according to the best information of my judgment, and the clear dictates of my conscience. On this occasion I solemnly protest before God, that I entertain no personal enmity against any man, nor have I any interested schemes to promote. My sole object in supporting the proposed enquiry, is the public welfare and the acquittal of the judges, for I am satisfied that an acquittal will be the consequence. In acting thus, I think myself their best friend; because no other plan will clear their character. Till this step is taken, in vain do they pretend to superior sanctity; in vain do some gentlemen tread their halls as holy ground, or reverence their courts as the temples of the divinity. To the people they appear the temples of idols, and false oracles, or rather as the dwellings of truth and justice converted into dens of thieves and robbers. For what greater robbers can there be, than those who rob men of their laws and liberties? No man has a greater veneration than I have for the doctors of the law; and it is for that reason that I would thus render their characters pure and unsullied as the driven snow. But will any of you pretend that this is at present the case? are not their temples profaned? has not pollution entered them, and penetrated into the holy of holies? are not the priests suspected of being no better than those of Bel and the Dragon, or rather of being worse than those of Baal? and has not therefore the fire of the people's wrath almost consumed them? The lightning has pierced the sanctuary, and rent the vail of their temple from the top even to the bottom. Nothing is whole, nothing is sound. The ten tables of the law are shattered and splintered. The ark of the covenant is lost, and passed into the hands of the uncircumcised. Both they and ye are become an abomination unto the Lord. In order to wash away your sins, let Moses and the prophets ascend Mount Sinai, and bring us down the second table of the law in thunder and lightnings; for in thunder and lightnings the constitution was first, and must now be established. Let the judges mount up to the source of precedents and decisions, and trace the law clear and unpolluted along the stream of time, and the silent lapse of years. Let them march in procession to this House, ushered in by a long train of precedents and opinions, and lay them all in a bundle in the middle of the room. Then, and not till then, will they stand justified. Then, and not till then, will you stand justified. In vain do you trust to the virtue of that furred gown, or to the magic of that bauble, as Cromwell truly called it. They confer neither real power, nor, what is often its parent, a fair character. These desirable possessions are acquired by an upright conduct, and the confidence of the people.'—EDIT.

[1] The following quotation from a speech delivered by *lord Chatham*, on the eleventh of December, 1770, is taken with exactness. The reader will find it curious in itself, and very fit to be inserted here. 'My Lords, the verdict, given in Woodfall's trial, was *guilty of printing and publishing* ONLY; upon which too motions were made in court;—one, in arrest of judgment, by the defendant's counsel, grounded upon the ambiguity of the verdict;—the other, by the counsel for the crown, for a rule upon the defendant, to show cause, why the verdict should not be entered up according to the *legal* import of the words. On both motions, a rule was granted, and soon after the matter was argued before the Court of King's Bench. The noble judge, when he delivered the opinion of the court upon the verdict, went regularly through the whole of the proceedings at *Nisi Prius*, as well the evidence that had been given, as his own charge to the jury. This proceeding would have been very proper, had a motion been made of either side for a new trial, because either a verdict given contrary to evidence, or an improper charge by the judge at *Nisi Prius*, is held to be a sufficient ground for granting a new trial. But when a motion is made in arrest of judgment, or for establishing the verdict, by entering it up according to the legal import of the words, it must be

RECORD. *When law and reason* speak plainly, we do not want *authority* to direct our understandings. Yet, for the honour of the profession, I am content to oppose

on the ground of something appearing *on the face of the record;* and the court, in considering whether the verdict shall be established or not, are so confined to the *record*, that they cannot take notice of any thing that does not appear on the face of it; in the legal phrase, *they cannot travel out of the record.* The noble judge did travel out of the record, and I affirm that his discourse was *irregular, extrajudicial*, and *unprecedented.* His apparent motive, for doing what he knew to be wrong, was, that he might have an opportunity of telling the public *extrajudicially*, that the other three judges concurred in the doctrine laid down in his charge.'—AUTHOR.

The opinion of the court here referred to, was as follows; and we give it as an extraordinary *dictum*, not readily to be met with in the present day. It was delivered by the lord chief justice, Nov. 20, 1770.

'This matter comes on before the court upon two rules which have been obtained; the one by the defendant's counsel, to stay the entering up the interlocutory judgment in this cause; the other by the attorney-general, to enter up the judgment according to the legal import of the verdict. In considering these rules, we are naturally led to begin with the last, because the last may decide the former; and in doing this, it will be previously necessary to state a report of the trial. 'The defendant was tried for the printing and publishing, in a paper called the Public Advertiser, a libel signed JUNIUS; and in the information the tenor of the libel was set forth, with innuendoes, to complete the blanks, and with the usual epithets. (1.) The first witness, Crowder, proved the buying of the paper, which was produced, and twelve others, at the defendant's printing-house, of his servant. (2.) Harris proved payments at the stamp-office, by the defendant, for the Public Advertiser, and that the duty for the stamp upon this paper was paid by the defendant's servant. (3.) Lee, sir John Fielding's clerk, proved several payments to the defendant for advertisements in the Public Advertiser, and produced his receipt." The proof upon the trial was clear, and not controverted by the defendant's counsel, who called no witnesses. They rested their defence in objecting to some of the innuendoes, but principally applied to the jury to convince them that the paper was innocent, and that some of the epithets in the information did not apply to the intention of the defendant. No fact, in case the paper be innocent, can make the publication a subject of guilt; and if the jury find it so, the defendant may have advantage of its innocence by arrest of judgment in this court; but that is not any question here. Nor is this a case, like some of those, where a publication of a paper may be justified from particular circumstances. I directed the jury, that if they believed the innuendoes, as to persons and things, to have been properly filled up in the information, and to be the true meaning of the paper, and if they gave credit to the witnesses, they must find the defendant guilty; for, if they believed them, there is no doubt but there was sufficient evidence of the defendant's printing and publishing. If the jury were obliged to determine, whether the paper was in law a libel or no, or to judge whether it was criminal, or to what degree, or if they were to require proofs of a criminal intention, then this direction was wrong. I told them, as I have always done before, that whether a libel or not, was a mere question of law, arising out of the record; and that all the epithets inserted in the information, were also formal inferences of law. A general verdict of the jury, finds only what the law implies from the fact. There is no necessary proof of malice to be made; for that is scarce possible to be produced. The law implies, from the fact of publication, a criminal intent. The jury stayed out a long while—many hours—and at last delivered in their verdict at my house (the objection to its being out of the city being cured by consent). To the usual question of the officer, the foreman answered in these words, Guilty of printing and publishing only. The officer has entered up the words literally, without so much as adding the usual words of reference to connect the sense. An affidavit of one of the jury has been attempted to be laid before the court by the defendant's counsel; but we are all of opinion that it cannot be received.—Such affidavit can only be admitted in motion for a new trial, where there is a doubt upon the words in which the verdict was delivered, or upon the judge's notes of the evidence; but an affidavit of a juryman cannot be admitted to explain or assert, what he thought, or intended, at the time of giving in the verdict. The motion of the attorney-general divides itself into two parts; (1.) the first, to fill up the finding of the jury, with the usual words of reference, so as to connect the verdict with the information. The omission of these words, we are of opinion, is a technical mistake of the clerk, and may be now supplied. (2.) The second head of argument, is to omit the word only in the entry of the verdict. This we are all of opinion cannot be done; the word only must stand in the verdict. No reason can be urged for omitting the word only, but what goes to prove that it adds nothing to the sense of the verdict. If this word was omitted, the verdict would then be, guilty of printing and publishing, which is a general verdict of guilty; for there is no other charge in the information, but printing and publishing, and that alone the jury had to enquire. In the case of the King and Williams, for the North Briton, the jury found the defendant guilty of printing and publishing. The officer entered up the verdict guilty generally: the defendant received the sentence of this court, and no objection was taken by his counsel. Where there are more charges in an information than one, the finding the defendant guilty of printing

one lawyer to another, especially when it happens that the king's attorney-general has virtually disclaimed the doctrine by which the chief justice meant to insure success to the prosecution. The opinion of the plaintiff's counsel (however it may be otherwise insignificant) is weighty in the scale of the defendant.—*My Lord Chief Justice De Grey*, who filed the information *ex officio*, is directly with me. If he had concurred in *lord Mansfield's* doctrine, the trial must have been a very short one. The facts were either admitted by *Woodfall's* counsel, or easily proved to the satisfaction of the jury. But *Mr De Grey*, far from thinking he should acquit himself of his duty by barely proving the facts, entered largely, and I confess not without ability, into the demerits of the paper, which he called *a seditious libel*. He dwelt but lightly upon those points, which (according to lord Mansfield) were the only matter of consideration to the jury. The criminal intent, the libellous matter, the pernicious tendency of the paper itself, were the topics on which he principally insisted, and of which, for more than an hour, he tortured his faculties to convince the jury. If he agreed in opinion with *lord Mansfield*, his discourse was impertinent, ridiculous, and unseasonable. But, understanding the law as I do, what he said was at least consistent and to the purpose.

If any honest man should still be inclined to leave the construction of libels to the court, I would intreat him to consider what a dreadful complication of hardships he imposes upon his fellow-subject.—In the first place, the prosecution commences by *information* of an officer of the crown, not by the regular constitutional mode of *indictment* before a grand jury.—As the fact is usually admitted, or in general can easily be proved, the office of the petty jury is nugatory.—The *court* then judges of the nature and extent of the offence, and determines *ad arbitrium*, the *quantum* of the punishment, from a small fine to a heavy one, to repeated whipping, to pillory, and unlimited imprisonment. Cutting off ears and noses *might* still be inflicted by a resolute judge; but I will be candid enough to suppose that penalties, so apparently shocking to humanity, would not be hazarded in these times.—In all other criminal prosecutions, the jury decides upon the fact and the crime in one word, and the court pronounces a *certain* sentence, which is the sentence of the law, not of the judge. If *lord Mansfield's* doctrine be received, the jury must either find a verdict of acquittal, contrary to evidence (which, I can conceive, might be done by very conscientious men, rather than trust a fellow-creature to

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and publishing only, would be an acquittal of the other charges; but here the jury had nothing else to find. They found him guilty of printing and publishing only, which was all of which they were to find him guilty, being the only crime with which he was charged. We are all of opinion, that my direction to the jury is right, and according to law; the positions contained in it never were doubted; it never has been, nor is it now, complained of in this court. There clearly can be no judgment of acquittal, because the fact found by the jury is the only question they had to try. The single doubt that remains, is as to the meaning of the word *only*. It would be improper now to make a question of the law, as I lay it down. In all the reports which I have made upon trials for libels, where my direction has been uniformly the same, the bar may remember the dead, and the living who are now absent, all to have concurred in agreeing that it was law thus to direct the jury in matter of libel. Taking then the law to be thus, the only question is whether any meaning, which will affect the verdict, can be put upon the word only, as it stands upon this record. If the jury meant to say, they did not find the paper a libel, or the intent of the defendant to be criminal in publishing it, or that they did not find the truth and application of the epithets in the information, all this would have vitiated the verdict; for it would have been entering into matters not before them. But if they meant to say, that they did not find the meaning put upon the innuendoes, we should enter up judgment of acquittal; but this would be contradictory to the former part of their verdict. It is impossible to say with certainty, what they meant. Possibly they meant differently, and some of them might intend not to find the whole sense put upon the innuendoes. This would be the most favourable supposition for the defendant, to which the judges will always lean. But if a doubt arises on the import of the verdict, the court should grant a *venire facias de novo*, which it is in their power to do, when a verdict of acquittal has not been found for the defendant.'—EDIT.

lord Mansfield's mercy), or they must leave to the court two offices, never but in this instance united, of finding guilty, and awarding punishment.

But, says this honest *lord chief justice*, 'If the paper be not criminal, the defendant' (though found guilty by his peers) 'is in no danger, for he may move the court in arrest of judgment.'—True, my good Lord, but who is to determine upon the motion?—Is not the court still to decide, whether judgment shall be entered up or not; and is not the defendant this way as effectually deprived of judgment by his peers, as if he were tried in a court of civil law, or in the chambers of the inquisition? It is you, my Lord, who then try the crime, not the jury. As to the probable effect of a motion in arrest of judgment, I shall only observe, that no reasonable man would be so eager to possess himself of the invidious power of inflicting punishment, if he were not predetermined to make use of it.

Again:—We are told that judge and jury have a distinct office;—that the jury is to find the fact, and the judge to deliver the law. *De jure respondent judices, de facto jurati.* The *dictum* is true, though not in the sense given to it by *lord Mansfield.* The jury are undoubtedly to determine the fact, that is, whether the defendant did or did not commit the crime charged against him. The judge pronounces the sentence annexed by law to that fact so found; and if, in the course of the trial, any question of law arises, both the counsel and the jury must, of necessity, appeal to the judge, and leave it to his decision. An *exception*, or *plea in bar*, may be allowed by the court; but, when issue is joined, and the jury have received their charge, it is not possible, in the nature of things, for them to separate the law from the fact, unless they think proper to return a *special* verdict.

It has also been alledged that, although a common jury are sufficient to determine a plain matter of fact, they are not qualified to comprehend the meaning, or to judge of the tendency, of a seditious libel. In answer to this objection (which, if well founded, would prove nothing as to the *strict right* of returning a general verdict), I might safely deny the truth of the assertion. *Englishmen* of that rank from which juries are usually taken, are not so illiterate as (to serve a particular purpose) they are now represented. Or, admitting the fact, let a special jury be summoned in all cases of difficulty and importance, and the objection is removed. But the truth is, that if a paper, supposed to be a libel upon government, be so obscurely worded, that twelve common men cannot possibly see the seditious meaning and tendency of it, it is in effect no libel. It cannot inflame the minds of the people, nor alienate their affections from government; for they no more understand what it means, than if it were published in a language unknown to them.

Upon the whole matter, it appears to *my* understanding clear beyond a doubt, that if, in any future prosecution for a seditious libel, the jury should bring in a verdict of acquittal not warranted by the evidence, it will be owing to the false and absurd doctrines laid down by *lord Mansfield.* Disgusted at the odious artifices made use of by the judge to mislead and perplex them, guarded against his sophistry, and convinced of the falsehood of his assertions, they may perhaps determine to thwart his detestable purpose, and defeat him at any rate. To *him*, at least, they will do *substantial justice.*—Whereas, if the whole charge, laid in the information, be fairly and honestly submitted to the jury, there is no reason whatsoever to presume that twelve men, upon their oaths, will not decide impartially between the king and the defendant. The numerous instances, in our state trials, of verdicts recovered for the king, sufficiently refute the false and scandalous imputations thrown by the abettors of *lord Mansfield* upon the integrity of juries.—But even admitting the supposition that, in times of universal discontent, arising from the notorious maladministration of public affairs, a seditious writer should escape punishment, it makes nothing against my general argument. If juries are

fallible, to what other tribunal shall we appeal?—If juries cannot safely be trusted, shall we unite the offices of judge and jury, so wisely divided by the constitution, and trust implicitly to *lord Mansfield*?—Are the judges of the Court of King's Bench more likely to be unbiassed and impartial, than twelve yeomen, burgesses, or gentlemen taken indifferently from the county at large?—Or, in short, shall there be *no* decision, until we have instituted a tribunal, from which no possible abuse or inconvenience whatsoever can arise?—If I am not grossly mistaken, these questions carry a decisive answer along with them.[1]

Having cleared the freedom of the press from a restraint, equally unnecessary and illegal, I return to the use which has been made of it in the present publication.

National reflections, I confess, are not to be justified in theory, nor upon any general principles. To know how well they are deserved, and how justly they have been applied, we must have the evidence of facts before us. We must be conversant with the *Scots* in private life, and observe their principles of acting to *us*, and to each other; — the characteristic prudence, the selfish nationality, the indefatigable smile, the persevering assiduity, the everlasting profession of a discreet and moderate resentment.—If the instance were not too important for an experiment, it might not be amiss to confide a little in their integrity.—Without any abstract reasoning upon causes and effects, we shall soon be convinced by *experience*, that the *Scots*, transplanted from their own country, are always a distinct and separate body from the people who receive them. In other settlements, they only love themselves;—in *England*, they cordially love themselves, and as cordially hate their neighbours. For the remainder of their good qualities, I must appeal to the reader's observation, unless he will accept of *my lord Barrington's* authority. In a letter to the late *lord Melcombe*, published by *Mr Lee*, he expresses himself with a truth and accuracy not very common in his lordship's lucubrations.—'And Cockburn, *like most of his countrymen*, is as abject to those above him, as he is insolent to those below him.'[2]—I am far from meaning to impeach the articles of the Union. If the true spirit of those articles were religiously adhered to, we should not see such a multitude of Scotch commoners in the Lower House as representatives of English boroughs, while not a single Scotch borough is ever represented by an Englishman. We should not see English peerages given to Scotch ladies, or to the elder sons of Scotch peers, and the number of *sixteen* doubled and trebled by a scandalous evasion of the Act of Union.—If it should ever be thought advisable to dissolve an act, the violation or observance of which is invariably directed by the advantage and interest of the *Scots*, I shall say very sincerely with Sir Edward Coke, 'When poor England stood alone, and had not the access of another kingdom, and yet had more and as potent enemies as it now hath, yet the king of England prevailed.'[3]

Some opinion may now be expected from me, upon a point of equal delicacy to the writer, and hazard to the printer. When the character of the chief magistrate is in question, more must be understood than may safely be expressed. If it be really a part of our constitution, and not a mere *dictum* of the law, *that the King can do no wrong*, it is not the only instance, in the wisest of human institutions, where theory is at variance with practice.—

[1] The questions are so decisive, and the general train of reasoning here advanced so clear and convincing, that the point has been ever since settled upon the authority of common sense, in the feelings and understanding of every man, whether professional or unprofessional. And all that remained to be done, was an interference of the legislature to prevent a revival of the question by any future judge, upon any future case whatsoever; a business patriotically undertaken by a statesman, whose name will ever be connected with genuine patriotism, the late Mr Fox, who in 1791 introduced a bill into parliament for this purpose, and in 1792 succeeded in carrying it through both Houses. See farther on this subject, note to Letter XLI., p. 247.—EDIT.

[2] See the same passage quoted in Miscellaneous Letter, No. CXI.—EDIT.

[3] Parliamentary History, 7. V. p. 400.

That the sovereign of this country is not amenable to any form of trial, known to the laws, is unquestionable. But exemption from punishment is a singular privilege annexed to the royal character, and no way excludes the possibility of deserving it. How long, and to what extent, a king of *England* may be protected by the forms, when he violates the spirit of the constitution, deserves to be considered. A mistake in this matter proved fatal to *Charles* and his son.—For my own part, far from thinking that the king can do no wrong, far from suffering myself to be deterred or imposed upon by the language of forms, in opposition to the substantial evidence of truth, if it were my misfortune to live under the inauspicious reign of a prince, whose whole life was employed in one base, contemptible struggle with the free spirit of his people, or in the detestable endeavour to corrupt their moral principles, I would not scruple to declare to him,— 'Sir, You alone are the author of the greatest wrong to Your subjects and to Yourself. Instead of reigning in the hearts of Your people, instead of commanding their lives and fortunes through the medium of their affections, has not the strength of the crown, whether influence or prerogative, been uniformly exerted, for eleven years together, to support a narrow, pitiful system of government, which defeats itself, and answers no one purpose of real power, profit, or personal satisfaction to You?—With the greatest unappropriated revenue of any prince in Europe, have we not seen You reduced to such vile and sordid distresses, as would have conducted any other man to a prison?—With a great military, and the greatest naval power in the known world, have not foreign nations repeatedly insulted You with impunity?—Is it not notorious that the vast revenues, extorted from the labour and industry of Your subjects, and given You to do honour to Yourself and to the nation, are dissipated in corrupting their representatives?—Are You a Prince of the House of Hanover, and do You exclude all the leading Whig families from Your councils?—Do You profess to govern according to law, and is it consistent with that profession, to impart Your confidence and affection to those men only, who, though now perhaps detached from the desperate cause of the Pretender, are marked in this country by an hereditary attachment to high and arbitrary principles of government?—Are You so infatuated as to take the sense of Your people from the representation of ministers, or from the shouts of a mob, notoriously hired to surround Your coach, or stationed at a theatre?—And if You are, in reality, that public Man, that King, that Magistrate, which these questions suppose You to be, is it any answer to Your people, to say that, among Your domestics You are good-humoured;—that to one lady You are faithful;—that to Your children You are indulgent?—Sir, the man who addresses You in these terms is Your best friend. He would willingly hazard his life in defence of Your title to the crown; and, if *power* be Your object, would still show You, how possible it is for a King of England, by the noblest means, to be the most absolute prince in Europe. You have no enemies, Sir, but those who persuade You to aim at power without right, and who think it flattery to tell You, that the character of King dissolves the natural relation between guilt and punishment.'

I cannot conceive that there is a heart so callous, or an understanding so depraved, as to attend to a discourse of this nature, and not to feel the force of it. But where is the man, among those who have access to the closet, resolute and honest enough to deliver it. The liberty of the press is our only resource. It will command an audience when every honest man in the kingdom is excluded. This glorious privilege may be a security to the king, as well as a resource to his people. Had there been no star-chamber, there would have been no rebellion against Charles the First. The constant censure and admonition of the press would have corrected his conduct, prevented a civil war, and saved him from

an ignominious death.—I am no friend to the doctrine of precedents exclusive of right, though lawyers often tell us, that whatever has been once done, may lawfully be done again.

I shall conclude this preface with a quotation, applicable to the subject, from a foreign writer,[1] whose essay on the English constitution I beg leave to recommend to the public, as a performance deep, solid, and ingenious.

'In short, whoever considers what it is, that constitutes the moving principle of what we call great affairs, and the invincible sensibility of man to the opinion of his fellow-creatures, will not hesitate to affirm that, if it were possible for the liberty of the press to exist in a despotic government, and (what is not less difficult) for it to exist without changing the constitution, this liberty of the press would alone form a counterpoise to the power of the prince. If, for example, in an empire of the East, a sanctuary could be found, which, rendered respectable by the ancient religion of the people, might insure safety to those who should bring thither their observations of any kind; and that, from thence, printed papers should issue, which, under a certain seal, might be equally respected; and which, in their daily appearance, should examine and freely discuss the conduct of the cadis, the bashaws, the vizir, the divan, and the sultan himself, that would introduce immediately some degree of liberty.'

[1] *Monsieur de Lolme.*

LETTERS

OF

JUNIUS.

LETTER I.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 21 *January*, 1769.

THE submission of a free people to the executive authority of government is no more than a compliance with laws, which they themselves have enacted. While the national honour is firmly maintained abroad, and while justice is impartially administered at home, the obedience of the subject will be voluntary, cheerful, and I might almost say, unlimited. A generous nation is grateful even for the preservation of its rights, and willingly extends the respect due to the office of a good prince into an affection for his person. Loyalty, in the heart and understanding of an Englishman, is a rational attachment to the guardian of the laws. Prejudices and passion have sometimes carried it to a criminal length; and, whatever foreigners may imagine, we know that Englishmen have erred as much in a mistaken zeal for particular persons and families, as they ever did in defence of what they thought most dear and interesting to themselves.

It naturally fills us with resentment, to see such a temper insulted, or abused. In reading the history of a free people, whose rights have been invaded, we are interested in their cause. Our own feelings tell us how long they ought to have submitted, and at what moment it would have been treachery to themselves not to have resisted. How much warmer will be our resentment, if experience should bring the fatal example home to ourselves!

The situation of this country is alarming enough to rouse the attention of every man, who pretends to a concern for the public welfare. Appearances justify suspicion; and, when the safety of a nation is at stake, suspicion is a just ground of enquiry. Let us enter into it with candour and decency. Respect is due to the station of ministers; and, if a resolution must at last be taken, there is none so likely to be supported with firmness, as that which has been adopted with moderation.

The ruin or prosperity of a state depends so much upon the administration of its government, that, to be acquainted with the merit of a ministry, we need only observe the condition of the people.[1] If we

[1] The arrangement of the ministry, at the period in question, was as follows:—duke of Grafton, first lord of the treasury; lord North, chancellor of the exchequer; lord Camden, lord chancellor; lord viscount Townshend, lord-lieutenant of Ireland; earl Rochford, minister for the foreign department; viscount Weymouth (afterwards marquis of Bath), for the home department; earl of Hillsborough (since marquis of Downshire), American minister; earl Gower, lord president of the council; earl Bristol, lord privy seal; sir Edw. Hawke, first lord of the admiralty; viscount Barrington, secretary at war; marquis of Granby, master-gen. of the ordnance; lord Howe, treasurer of the navy; Mr De Grey and Mr Dunning (subsequently lords Walsingham and Ashburton), attorney and solicitor-general.—EDIT.

see them obedient to the laws, prosperous in their industry, united at home, and respected abroad, we may reasonably presume that their affairs are conducted by men of experience, abilities, and virtue. If, on the contrary, we see an universal spirit of distrust and dissatisfaction, a rapid decay of trade, dissensions in all parts of the empire, and a total loss of respect in the eyes of foreign powers, we may pronounce, without hesitation, that the government of that country is weak, distracted, and corrupt. The multitude, in all countries, are patient to a certain point. Ill-usage may rouse their indignation, and hurry them into excesses, but the original fault is in government. Perhaps there never was an instance of a change, in the circumstances and temper of a whole nation, so sudden and extraordinary as that which the misconduct of ministers has, within these very few years, produced in Great Britain. When our gracious Sovereign ascended the throne, we were a flourishing and a contented people. If the personal virtues of a king could have insured the happiness of his subjects, the scene could not have altered so entirely as it has done. The idea of uniting all parties, of trying all characters, and of distributing the offices of state by rotation, was gracious and benevolent to an extreme, though it has not yet produced the many salutary effects which were intended by it. To say nothing of the wisdom of such a plan, it undoubtedly arose from an unbounded goodness of heart, in which folly had no share. It was not a capricious partiality to new faces:—it was not a natural turn for low intrigue; nor was it the treacherous amusement of double and triple negotiations. No, Sir, it arose from a continued anxiety, in the purest of all possible hearts, for the general welfare. Unfortunately for us, the event has not been answerable to the design. After a rapid succession of changes, we are reduced to that state, which hardly any change can mend. Yet there is no extremity of distress, which of itself ought to reduce a great nation to despair. It is not the disorder, but the physician;—it is not a casual concurrence of calamitous circumstances, it is the pernicious hand of government, which alone can make a whole people desperate.

Without much political sagacity, or any extraordinary depth of observation, we need only mark how the principal departments of the state are bestowed, and look no farther for the true cause of every mischief that befalls us.

The finances of a nation, sinking under its debts and expenses, are committed to a young nobleman already ruined by play.[1] Introduced to act under the auspices of lord Chatham, and left at the head of affairs by that nobleman's retreat, he became minister by accident; but deserting the principles and professions which gave him a moment's popularity, we see him, from every honourable engagement to the public, an apostate by design. As for business, the world yet knows nothing of his talents or resolution; unless a wayward, wavering inconsistency be a mark of genius, and caprice a demonstration of spirit. It may be said perhaps, that it is his Grace's province, as surely it is his passion, rather to distribute than to save the public money, and that while lord North is chancellor of the Exchequer, the first lord of the Treasury may be as thoughtless and as extravagant as he pleases. I hope, however, he will not rely too much on the fertility of lord North's genius for finance. His Lordship is yet to give us the first proof of his abilities: It may be candid to suppose that he has hitherto voluntarily concealed his talents; intending perhaps to astonish the world, when we least expect it, with a knowledge of trade, a choice of expedients, and a depth of resources equal to the ne-

[1] The duke of Grafton took the office of secretary of state, with an engagement to support the marquis of Rockingham's administration. He resigned however in a little time, under pretence that he could not act without lord Chatham, nor bear to see Mr Wilkes abandoned; but that under lord Chatham he would act in *any* office. This was the signal of lord Rockingham's dismission. When lord Chatham came in, the duke got possession of the treasury. Reader, mark the consequence!

cessities, and far beyond the hopes, of his country. He must now exert the whole power of his capacity, if he would wish us to forget, that, since he has been in office, no plan has been formed, no system adhered to, nor any one important measure adopted for the relief of public credit. If his plan for the service of the current year be not irrevocably fixed on, let me warn him to think seriously of consequences before he ventures to increase the public debt.[1] Outraged and oppressed as we are, this nation will not bear, after a six years' peace, to see new millions borrowed, without an eventual diminution of debt, or reduction of interest. The attempt might rouse a spirit of resentment, which might reach beyond the sacrifice of a minister. As to the debt upon the civil list, the people of England expect that it will not be paid without a strict enquiry how it was incurred. If it must be paid by parliament, let me advise the chancellor of the Exchequer to think of some better expedient than a lottery. To support an expensive war, or in circumstances of absolute necessity, a lottery may perhaps be allowable ; but, besides that it is at all times the very worst way of raising money upon the people, I think it ill becomes the royal dignity to have the debts of a king provided for, like the repairs of a country bridge, or a decayed hospital. The management of the king's affairs in the House of Commons cannot be more disgraced than it has been. A leading minister repeatedly called down for absolute ignorance ; — ridiculous motions ridiculously withdrawn ;—deliberate plans disconcerted,[2] and a week's preparation of graceful oratory lost in a moment, give us some, though not an adequate, idea of lord North's parliamentary abilities and influence. Yet before he had the misfortune to be chancellor of the Exchequer, he was neither an object of derision to his enemies, nor of melancholy pity to his friends.

A series of inconsistent measures had alienated the colonies from their duty as subjects, and from their natural affection to their common country. When Mr Grenville was placed at the head of the Treasury, he felt the impossibility of Great Britain's supporting such an establishment as her former successes had made indispensable, and at the same time of giving any sensible relief to foreign trade, and to the weight of the public debt. He thought it equitable that those parts of the empire, which had benefited most by the expenses of the war, should contribute something to the expenses of the peace, and he had no doubt of the constitutional right vested in parliament to raise that contribution. But, unfortunately for this country, Mr Grenville was at any rate to be distressed, because he was minister, and Mr Pitt[3] and lord Camden were to be the patrons of America, because they were in opposition. Their declarations gave spirit and argument to the colonies, and while perhaps they meant no more than the ruin of a minister, they in effect divided one half of the empire from the other.

Under one administration the Stamp Act is made ; under the second it is repealed ; under the third, in spite of all experience, a new mode of taxing the colonies is invented, and a question revived, which ought to have been buried in oblivion. In these circumstances a new office is established for the business of the plantations, and the earl of Hillsborough called forth, at a most critical season, to govern America.[4] The choice at least announced to us a man of superior capacity and knowledge. Whether he be so or not, let his despatches, as far as they have appeared, let his mea-

[1] The public debt at the conclusion of the peace in 1763, amounted to £148,377,618.—EDIT.

[2] This happened frequently to poor lord North.

[3] Yet JUNIUS has been called the partisan of lord Chatham !

[4] Upon the death of queen Anne a third secretaryship, antecedently unknown to the constitution, was created, professing to be for the superintendence of Scotland, which terminated upon the cessation of the rebellion. In 1768, for the purpose of finding a post for the earl of Hillsborough, the office of third secretary was revived ; and Scotland having no peculiar demand for his talents, he was denominated secretary for America. For the rest see our author's preceding letters, subscribed *Atticus* and *Lucius*, in the Miscellaneous Collection.—EDIT.

sures as far as they have operated, determine for him. In the former we have seen strong assertions without proof, declamation without argument, and violent censures without dignity or moderation; but neither correctness in the composition, nor judgment in the design. As for his measures, let it be remembered, that he was called upon to conciliate and unite; and that, when he entered into office, the most refractory of the colonies were still disposed to proceed by the constitutional methods of petition and remonstrance. Since that period they have been driven into excesses little short of rebellion. Petitions have been hindered from reaching the throne; and the continuance of one of the principal assemblies rested upon an arbitrary condition,[1] which, considering the temper they were in, it was impossible they should comply with, and which would have availed nothing as to the general question, if it had been complied with. So violent, and I believe I may call it so unconstitutional, an exertion of the prerogative, to say nothing of the weak, injudicious terms in which it was conveyed, gives us as humble an opinion of his Lordship's capacity, as it does of his temper and moderation. While we are at peace with other nations, our military force may perhaps be spared to support the earl of Hillsborough's measures in America. Whenever that force shall be necessarily withdrawn or diminished, the dismission of such a minister will neither console us for his imprudence, nor remove the settled resentment of a people, who, complaining of an act of the legislature, are outraged by an unwarrantable stretch of prerogative, and, supporting their claims by argument, are insulted with declamation.

Drawing lots would be a prudent and reasonable method of appointing the officers of state, compared to a late disposition of the secretary's office. Lord Rochford was acquainted with the affairs and temper of the southern courts: lord Weymouth was equally qualified for either department.[2] By what unaccountable caprice has it happened, that the latter, who pretends to no experience whatsoever, is removed to the most important of the two departments, and the former by preference placed in an office, where his experience can be of no use to him? lord Weymouth had distinguished himself in his first employment by a spirited, if not judicious conduct. He had animated the civil magistrate beyond the tone of civil authority, and had directed the operations of the army to more than military execution. Recovered from the errors of his youth, from the distraction of play, and the bewitching smiles of Burgundy, behold him exerting the whole strength of his clear, unclouded faculties, in the service of the crown. It was not the heat of midnight excesses, nor ignorance of the laws, nor the furious spirit of the house of Bedford: No, Sir, when this respectable minister interposed his authority between the magistrate and the people, and signed the mandate, on which, for aught he knew, the lives of thousands depended, he did it from the deliberate motion of his heart, supported by the best of his judgment.

It has lately been a fashion to pay a compliment to the bravery and generosity of the commander-in-chief,[3] at the expense of his understanding. They who love him least make no question of his courage, while his friends dwell chiefly on the facility of his disposition. Admitting him to be as brave as a total absence of all feeling and reflection can make him, let us see what sort of merit he derives from the remainder of his character. If it be generosity to accumulate in his own person and family a number of lucrative employments; to provide, at the public expense, for every creature that bears the name of Manners; and,

[1] That they should retract one of their resolutions, and erase the entry of it.

[2] It was pretended that the earl of Rochford, while ambassador in France, had quarrelled with the duke of Choiseuïl, and that therefore he was appointed to the northern department, out of compliment to the French minister.

[3] The late lord Granby.

neglecting the merit and services of the rest of the army, to heap promotions upon his favourites and dependants, the present commander-in-chief is the most generous man alive. Nature has been sparing of her gifts to this noble lord; but where birth and fortune are united, we expect the noble pride and independence of a man of spirit, not the servile, humiliating compliances of a courtier. [1] As to the goodness of his heart, if a proof of it be taken from the facility of never refusing, what conclusion shall we draw from the independency of never performing? And if the discipline of the army be in any degree preserved, what thanks are due to a man, whose cares, notoriously confined to filling up vacancies, have degraded the office of commander-in-chief into a broker of commissions!

With respect to the navy, I shall only say, that this country is so highly indebted to sir Edward Hawke, that no expense should be spared to secure to him an honourable and affluent retreat.

The pure and impartial administration of justice is perhaps the firmest bond to secure a cheerful submission of the people, and to engage their affections to government. It is not sufficient that questions of private right and wrong are justly decided, nor that judges are superior to the vileness of pecuniary corruption. Jefferies himself, when the court had no interest, was an upright judge. A court of justice may be subject to another sort of bias, more important and pernicious, as it reaches beyond the interest of individuals, and affects the whole community. A judge under the influence of government, may be honest enough in the decision of private causes, yet a traitor to the public. When a victim is marked out by the ministry, this judge will offer himself to perform the sacrifice. He will not scruple to prostitute his dignity, and betray the sanctity of his office, whenever an arbitrary point is to be carried for government, or the resentments of a court are to be gratified.

These principles and proceedings, odious and contemptible as they are, in effect are no less injudicious. A wise and generous people are roused by every appearance of oppressive, unconstitutional measures, whether those measures are supported openly by the power of government, or masked under the forms of a court of justice. Prudence and self-preservation will oblige the most moderate dispositions to make common cause, even with a man whose conduct they censure, if they see him persecuted in a way which the real spirit of the laws will not justify.[1] The facts, on which these remarks are founded, are too notorious to require an application.

This, Sir, is the detail. In one view behold a nation overwhelmed with debt; her revenues wasted; her trade declining; the affections of her colonies alienated; the duty of the magistrate transferred to the soldiery; a gallant army, which never fought unwillingly but against their fellow-subjects, mouldering away for want of the direction of a man of common abilities and spirit; and, in the last instance, the administration of justice become odious and suspected to the whole body of the people. This deplorable scene admits but of one addition—that we are governed by counsels, from which a reasonable man can expect no remedy but poison, no relief but death.

If, by the immediate interposition of Providence, it were possible for us to escape a crisis so full of terror and despair, posterity will not believe the history of the present times. They will either conclude that our distresses were imaginary, or that we had the good fortune to be governed by men of acknowledged integrity and wisdom: they will not believe it possible that their ancestors could have survived, or recovered from so desperate a condition, while a duke of Grafton was prime minister, a lord North chancellor of the Exchequer, a Weymouth and a Hillsborough secretaries of state, a Granby commander-in-chief, and a Mansfield chief criminal judge of the kingdom.

JUNIUS.

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[1] Mr Wilkes.—EDIT.

LETTER II.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *26 January*, 1769.

THE kingdom swarms with such numbers of felonious robbers of private character and virtue, that no honest or good man is safe; especially as these cowardly, base assassins stab in the dark, without having the courage to sign their real names to their malevolent and wicked productions. A writer, who signs himself JUNIUS, in the Public Advertiser of the 21st instant, opens the deplorable situation of this country in a very affecting manner; with a pompous parade of his candour and decency, he tells us, that we see dissensions in all parts of the empire, an universal spirit of distrust and dissatisfaction, and a total loss of respect towards us in the eyes of foreign powers. But this writer, with all his boasted candour, has not told us the real cause of the evils he so pathetically enumerates. I shall take the liberty to explain the cause for him. JUNIUS, and such writers as himself, occasion all the mischiefs complained of, by falsely and maliciously traducing the best characters in the kingdom. For when our deluded people at home, and foreigners abroad, read the poisonous and inflammatory libels that are daily published with impunity, to vilify those who are any way distinguished by their good qualities and eminent virtues; when they find no notice taken of, or reply given to, these slanderous tongues and pens, their conclusion is, that both the ministers and the nation have been fairly described, and they act accordingly. I think it therefore the duty of every good citizen to stand forth, and endeavour to undeceive the public, when the vilest arts are made use of to defame and blacken the brightest characters among us. An eminent author affirms it to be almost as criminal to hear a worthy man traduced, without attempting his justification, as to be the author of the calumny against him. For my own part, I think it a sort of misprision of treason against society. No man therefore who knows lord Granby, can possibly hear so good and great a character most vilely abused, without a warm and just indignation against this JUNIUS, this high-priest of envy, malice, and all uncharitableness, who has endeavoured to sacrifice our beloved commander-in-chief at the altars of his horrid deities. Nor is the injury done to his Lordship alone, but to the whole nation, which may too soon feel the contempt, and consequently the attacks, of our late enemies, if they can be induced to believe that the person on whom the safety of these kingdoms so much depends, is unequal to his high station, and destitute of those qualities which form a good general. One would have thought that his Lordship's services in the cause of his country, from the battle of Culloden to his most glorious conclusion of the late war, might have entitled him to common respect and decency at least; but this uncandid, indecent writer, has gone so far as to turn one of the most amiable men of the age, into a stupid, unfeeling, and senseless being; possessed indeed of a personal courage, but void of those essential qualities which distinguish the commander from the common soldier.

A very long, uninterrupted, impartial, and I will add, a most disinterested friendship with lord Granby, gives me the right to affirm, that all JUNIUS'S assertions are false and scandalous. Lord Granby's courage, though of the brightest and most ardent kind, is among the lowest of his numerous good qualities; he was formed to excel in war by nature's liberality to his mind as well as person. Educated and instructed by his most noble father, and a most spirited as well as excellent scholar, the present bishop of Bangor,[1] he was trained to the nicest sense of honour, and to the truest and noblest sort of pride, that of never doing or suffering a mean action. A sincere love and attachment to his king and country,

[1] Dr John Ewer.—EDIT.

and to their glory, first impelled him to the field, where he never gained aught but honour. He impaired, through his bounty, his own fortune; for his bounty, which this writer would in vain depreciate, is founded upon the noblest of the human affections, it flows from a heart melting to goodness from the most refined humanity. Can a man, who is described as unfeeling, and void of reflection, be constantly employed in seeking proper objects on whom to exercise those glorious virtues of compassion and generosity? The distressed officer, the soldier, the widow, the orphan, and a long list besides, know that vanity has no share in his frequent donations; he gives, because he feels their distresses. Nor has he ever been rapacious with one hand to be bountiful with the other; yet this uncandid JUNIUS would insinuate, that the dignity of the commander-in-chief is depraved into the base office of a commission broker; that is, lord Granby bargains for the sale of commissions; for it must have this meaning, if it has any at all. But where is the man living who can justly charge his Lordship with such mean practices? Why does not JUNIUS produce him? JUNIUS knows that he has no other means of wounding this hero, than from some missile weapon, shot from an obscure corner: He seeks, as all such defamatory writers do,

———spargere voces
In vulgum ambiguas———

to raise suspicion in the minds of the people. But I hope that my countrymen will be no longer imposed upon by artful and designing men, or by wretches, who, bankrupts in business, in fame, and in fortune, mean nothing more than to involve this country in the same common ruin with themselves. Hence it is, that they are constantly aiming their dark, and too often fatal, weapons against those who stand forth as the bulwark of our national safety. Lord Granby was too conspicuous a mark not to be their object. He is next attacked for being unfaithful to his promises and engagements: Where are JUNIUS'S proofs? Although I could give some instances, where a breach of promise would be a virtue, especially in the case of those who would pervert the open, unsuspecting moments of convivial mirth, into sly, insidious applications for preferment, or party systems, and would endeavour to surprise a good man, who cannot bear to see any one leave him dissatisfied, into unguarded promises. Lord Granby's attention to his own family and relations is called selfish. Had he not attended to them, when fair and just opportunities presented themselves, I should have thought him unfeeling and void of reflection indeed. How are any man's friends or relations to be provided for, but from the influence and protection of the patron? It is unfair to suppose that lord Granby's friends have not as much merit as the friends of any other great man: If he is generous at the public expense, as JUNIUS invidiously calls it, the public is at no more expense for his Lordship's friends, than it would be if any other set of men possessed those offices. The charge is ridiculous!

The last charge against lord Granby is of a most serious and alarming nature indeed. JUNIUS asserts, that the army is mouldering away for want of the direction of a man of common abilities and spirit. The present condition of the army gives the directest lie to his assertions. It was never upon a more respectable footing with regard to discipline, and all the essentials that can form good soldiers. Lord Ligonier delivered a firm and noble palladium of our safeties into lord Granby's hands, who has kept it in the same good order in which he received it. The strictest care has been taken to fill up the vacant commissions, with such gentlemen as have the glory of their ancestors to support, as well as their own, and are doubly bound to the cause of their king and country, from motives of private property, as well as public spirit. The adjutant-general,[1] who has the immediate care of the troops after lord Granby, is an officer who would do great honour to

[1] Harvey.—EDIT.

any service in Europe, for his correct arrangements, good sense and discernment upon all occasions, and for a punctuality and precision which give the most entire satisfaction to all who are obliged to consult him. The reviewing generals, who inspect the army twice a year, have been selected with the greatest care, and have answered the important trust reposed in them in the most laudable manner. Their reports of the condition of the army are much more to be credited than those of JUNIUS, whom I do advise to atone for his shameful aspersions, by asking pardon of lord Granby, and the whole kingdom, whom he has offended by his abominable scandals. In short, to turn JUNIUS's own battery against him, I must assert, in his own words, 'that he has given strong assertions without proof, declamation without argument, and violent censures without dignity or moderation.'

WILLIAM DRAPER.[1]

LETTER III.

TO SIR WILLIAM DRAPER, KNIGHT OF THE BATH.

SIR, *7 February*, 1769.

THE defence of lord Granby does honour to the goodness of your heart. You feel, as you ought to do, for the reputation of your friend, and you express yourself in the warmest language of the passions. In any other cause, I doubt not, you would have cautiously weighed the consequences of committing your name to the licentious discourses and malignant opinions of the world. But here, I presume, you thought it would be a breach of friendship to lose one moment in consulting your understanding; as if an appeal to the public were no more than a military *coup de main*, where a brave man has no rules to follow, but the dictates of his courage. Touched with your generosity, I freely forgive the excesses into which it has led you; and, far from resenting those terms of reproach, which, considering that you are an advocate for decorum, you have heaped upon me rather too liberally, I place them to the account of an honest unreflecting indignation, in which your cooler judgment and natural politeness had no concern. I approve of the spirit with which you have given your name to the public; and, if it were a proof of any thing but spirit, I should have thought myself bound to follow your example. I should have hoped that even *my* name might carry some authority with it,[2]

[1] As a correspondent of JUNIUS in this and several other letters, the following short notice of sir William Draper cannot be unacceptable to the reader. We take it by Mr Chalmers's permission from his Appendix to the Supplemental Apology for the Believers in the supposititious Shakespeare papers, p. 80.

'Sir William, as a scholar, had been bred at Eton, and King's college, Cambridge; but he chose the sword for his profession. In India, he ranked with those famous warriors, Clive and Laurence. In 1761, he acted at Bellisle, as a Brigadier. In 1763, he commanded the troops who conquered Manilla, which place was saved from plunder, by the promise of a ransom, that was never paid. His first appearance, as an able writer, was in his clear refutation of the objections of the Spanish court. His services were rewarded with the command of the sixteenth regiment of foot, which he resigned to colonel Gisborne, for his half-pay of £200 Irish: This common transaction furnished JUNIUS with many a sarcasm. Sir William had scarcely closed his contest with that formidable opponent, when he had the misfortune to lose his wife, who died on the 1st of September, 1769. As he was foiled, he was, no doubt, mortified. And he set out, in October of that year, to make the tour of the Northern Colonies, which had now become objects of notice, and scenes of travel. He arrived at Charlestown, South Carolina, in January, 1770; and travelling northward, he arrived, during the summer of that year, in Maryland; where he was received with that hospitality which she always paid to strangers, and with the attentions, that were due to the merit of such a visitor.

'From Maryland, sir William passed on to New York, where he married Miss De Lancy, a lady of great connexions there, and agreeable endowments, who died in 1778; leaving him a daughter. In 1779, he was appointed lieutenant-governor of Minorca; a trust, which, however discharged, ended unhappily. He died at Bath, on the 8th of January, 1787.'—EDIT.

[2] This expression will receive some farther light from a feature of himself incidentally introduced by the author in a letter omitted in his own edition, but inserted in the present work, Miscellaneous Letter, No. LIV., as also from other views of his sentiments and conduct as casually evinced in the Private Letters.—EDIT.

if I had not seen how very little weight or consideration a printed paper receives even from the respectable signature of sir William Draper.

You begin with a general assertion, that writers, such as I am, are the real cause of all the public evils we complain of. And do you really think, sir William, that the licentious pen of a political writer is able to produce such important effects? A little calm reflection might have shown you, that national calamities do not arise from the description, but from the real character and conduct of ministers. To have supported your assertion, you should have proved that the present ministry are unquestionably the *best and brightest* characters of the kingdom: and that, if the affections of the colonies have been alienated, if Corsica [1] has been shamefully abandoned, if commerce languishes, if public credit is threatened with a new debt, and your own Manilla ransom most dishonourably given up,[2] it has all been owing to the malice of political writers, who will not suffer the best and brightest of characters (meaning still the present ministry) to take a single right step for the honour or interest of the nation. But it seems you were a little tender of coming to particulars. Your conscience insinuated to you, that it would be prudent to leave the characters of Grafton, North, Hillsborough, Weymouth, and Mansfield, to shift for themselves; and truly, sir William, the part you *have* undertaken is at least as much as you are equal to.

Without disputing lord Granby's courage, we are yet to learn in what articles of military knowledge nature has been so very liberal to his mind. If you have served with him, you ought to have pointed out some instances of able disposition and well-concerted enterprise, which might fairly be attributed to his capacity as a general. It is you, sir William, who make your friend appear aukward and ridiculous, by giving him a laced suit of tawdry qualifications, which nature never intended him to wear.

You say, he has acquired nothing but honour in the field. Is the Ordnance nothing? Are the Blues nothing? Is the command of the army, with all the patronage annexed to it, nothing? Where he got these *nothings* I know not; but you at least ought to have told us where he deserved them.

As to his bounty, compassion, &c., it would have been but little to the purpose, though you had proved all that you have

[1] Corsica, in modern times, was first subjugated by the Genoese, who made use of so much insolence and oppression, as to induce the natives to throw off the yoke, and endeavour to recover their independence. The contest was long and severe, and the Corsicans were reduced to beggary in the generous struggle. Nieuhoff and Paoli chiefly figured as leaders of the Corsicans, the first of whom was actually elected king, but could not maintain his throne against the invaders. The Corsicans applied to many foreign courts for assistance, and among the rest to Great Britain; and lord Shelburne (afterwards marquis of Lansdown) was one of the warmest supporters of their cause, and most desirous, when in administration, to engage in it. But his colleagues opposed him, and the cause of Corsica was abandoned, though the citizens of London contributed largely to its support. Yet the Genoese could not totally subdue it; and in consequence they sold it to France to be subdued by the French arms: and the tyranny which was at first exercised over it by the Genoese, it was now doomed to suffer from the French. Reader, mark the result!—Corsica is at this moment reaping an ample revenge: for through the medium of Bonaparte she is now loading both France and Genoa with as severe a tyranny as herself ever submitted to from either.—EDIT.

[2] In the preceding war with Spain, sir William (then col. Draper) had commanded an expedition against the Spanish settlements in the Philippine Isles. It succeeded completely; and the capital of Manilla was taken by assault. Yet the generous conquerors, instead of plundering the city, consented to accept for the value of the spoil, bills drawn upon the Spanish government adequate to its supposed amount. These bills the Spanish government undertook to pay, but dishonourably forfeited its word on their becoming due. Sir William Draper, on his return from India, repeatedly pressed the English minister to interpose upon the subject, on behalf of himself and his fellow-soldiers. The English minister however did not interpose: Draper was personally rewarded by an election into the order of the Bath, in conjunction with certain pecuniary emoluments referred to in this correspondence; while his colleague, admiral Cornish, together with the soldiers and sailors under their commands, were suffered to live and die altogether without redress.—EDIT.

asserted. I meddle with nothing but his character as commander-in-chief; and though I acquit him of the baseness of selling commissions, I still assert that his military cares have never extended beyond the disposal of vacancies; and I am justified by the complaints of the whole army, when I say that, in this distribution, he consults nothing but parliamentary interests, or the gratification of his immediate dependants. As to his servile submission to the reigning ministry, let me ask, whether he did not desert the cause of the whole army, when he suffered sir Jeffery Amherst to be sacrificed,[1] and what share he had in recalling that officer to the service? Did he not betray the just interests of the army, in permitting lord Percy to have a regiment? And does he not at this moment give up all character and dignity as a gentleman, in receding from his own repeated declarations in favour of Mr Wilkes?

In the two next articles I think we are agreed. You candidly admit, that he often makes such promises as it is a virtue in him to violate, and that no man is more assiduous to provide for his relations at the public expense. I did not urge the last as an absolute vice in his disposition, but to prove that a *careless disinterested spirit* is no part of his character; and as to the other, I desire it may be remembered, that *I* never descended to the indecency of enquiring into his *convivial hours*. It is you, sir William Draper, who have taken pains to represent your friend in the character of a drunken landlord, who deals out his promises as liberally as his liquor, and will suffer no man to leave his table either sorrowful or sober. None but an intimate friend, who must frequently have seen him in these unhappy, disgraceful moments, could have described him so well.

The last charge, of the neglect of the army, is indeed the most material of all. I am sorry to tell you, sir William, that, in this article, your first fact is false; and as there is nothing more painful to me than to give a direct contradiction to a gentleman of your appearance, I could wish that, in your future publications, you would pay a greater attention to the truth of your premises, before you suffer your genius to hurry you to a conclusion. Lord Ligonier *did not* deliver the army (which you, in classical language, are pleased to call a palladium) into lord Granby's hands. It was taken from him much against his inclination, some two or three years before lord Granby was commander-in-chief. As to the state of the army, I should be glad to know where you have received your intelligence. Was it in the rooms at Bath, or at your retreat at Clifton? The reports of reviewing generals comprehend only a few regiments in England, which, as they are immediately under the royal inspection, are perhaps in some tolerable order. But do you know any thing of the troops in the West Indies, the Mediterranean, and North America, to say nothing of a whole army absolutely ruined in Ireland? Inquire a little into facts, sir William, before you publish your next panegyric upon lord Granby, and believe me, you will find there is a fault at head-quarters, which even the acknowledged care and abilities of the adjutant-general cannot correct.[2]

Permit me now, sir William, to address myself personally to you, by way of thanks for the honour of your correspondence. You are by no means undeserving of notice; and it may be of consequence even to lord Granby to have it determined, whether or no the man who has praised him so lavishly, be himself deserving of praise. When you returned to Europe, you zealously undertook the cause of that gallant army, by whose bravery at Manilla your own fortune had been established. You complained, you threatened, you even appealed to the public in print. By what accident did it happen, that in the midst of all this bustle, and all these clamours for justice to your injured troops, the name of the Manilla

[1] See upon this subject our author's Miscellaneous Letters subscribed Lucius, and particularly that of Atticus, Letter LI.—EDIT.

[2] Adjutant general Harvey.—EDIT.

ransom was suddenly buried in a profound, and, since that time, an uninterrupted silence? Did the ministry suggest any motives to you strong enough to tempt a man of honour to desert and betray the cause of his fellow-soldiers? Was it that blushing ribband, which is now the perpetual ornament of your person? Or was it that regiment, which you afterwards (a thing unprecedented among soldiers) sold to colonel Gisborne? Or was it that government, the full pay of which you are contented to hold, with the half-pay of an Irish colonel? And do you now, after a retreat not very like that of Scipio, presume to intrude yourself, unthought-of, uncalled-for, upon the patience of the public? Are your flatteries of the commander-in-chief directed to another regiment, which you may again dispose of on the same honourable terms? We know your prudence, sir William, and I should be sorry to stop your preferment.

JUNIUS.

LETTER IV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *17 February*, 1769.

I RECEIVED JUNIUS's favour last night; he is determined to keep his advantage by the help of his mask; it is an excellent protection, it has saved many a man from an untimely end. But whenever he will be honest enough to lay it aside, avow himself, and produce the face which has so long lurked behind it, the world will be able to judge of his motives for writing such infamous invectives. His real name will discover his freedom and independency, or his servility to a faction. Disappointed ambition, resentment for defeated hopes, and desire of revenge, assume but too often the appearance of public spirit; but be his designs wicked or charitable, JUNIUS should learn that it is possible to condemn measures, without a barbarous and criminal outrage against men. JUNIUS delights to mangle carcases with a hatchet; his language and instrument have a great connection with Clare-market, and, to do him justice, he handles his weapon most admirably. One would imagine he had been taught to throw it by the savages of America. It is therefore high time for me to step in once more to shield my friend from this merciless weapon, although I may be wounded in the attempt. But I must first ask JUNIUS, by what forced analogy and construction the moments of convivial mirth are made to signify indecency, a violation of engagements, a drunken landlord, and a desire that every one in company should be drunk likewise?[1] He must have

[1] Whether such a conclusion were forced or natural from sir William's description of his friend, JUNIUS, it seems, was not the only person who deduced it, if we may judge from a dispute the Knight of the Bath was involved in upon this very subject, with two other invisible correspondents, of whom the one signed himself Neocles, and the other the Ghost, and who wrote in the same newspaper (The Public Advertiser). To the first correspondent, sir William replies as follows.

SIR, *Clifton, Feb.* 13, 1769.

I must beg the favour of *Neocles* not to believe that I have described my friend to be frequently in a state of ebriety. Had I done so, I might indeed be justly accused of being insufficient to support his cause.

* * * * *

If *Neocles* is an officer, or a man of business, he must know that a commander-in-chief, or a minister of state, from a multiplicity of applications, cannot trust their memories with the whole of them: minutes and memorandums are necessary: when business is over, these are left with their secretaries, or in their bureaus. Should therefore any insidious man, either at dinner, or after dinner, importune a great person to give him some preferment, which, from the want of these minutes, he might not then recollect to be engaged, and thus obtain a promise of it; yet, if it should appear from the inspection of these memorandums afterwards, that such preferment was pre-engaged, I must again repeat, that in such a case it would be a virtue to break the unguarded promise made at dinner, or in convivial mirth, and to adhere to the first engagement. These things have happened, do happen, and may happen again, to the most temperate men living.

I am

Neocles' most humble servant,

W. D.

The fact is, that lord Granby, and his friend sir William, appear to have been both jolly com-

culled all the flowers of St Giles's and Billingsgate to have produced such a piece of oratory. Here the hatchet descends with tenfold vengeance; but, alas! it hurts no

panions. Mr Campbell says of the latter—that his favourite wine was Burgundy—the bewitching smiles of which had an irresistible influence on his heart.—Life of Boyd, p. 186. JUNIUS seems to have appealed to a known fact, as well as to an unguarded expression of the pen. Sir William's answer to the Ghost occurs in the same Newspaper, Mar. 2, 1769.

'SIR, *Clifton, Feb.* 24.

'Sir W. D. presents his compliments to the *Ghost*, and hopes, that when he shall please to revisit us, the cock may not *crow* too suddenly, and warn him hence, before he has sufficiently considered what sir W. says with regard to anonymous writers. They are not condemned by him merely for being anonymous, but as they are defamatory and wicked; as they act as incendiaries, as they *privily* shoot at those who are *true of heart*, and as they basely *stab* in the *dark*. When they are thus guilty, they are worthy of the severest censures. A very fine writer, Mr Addison, has not stuck to rank them with murderers and assassins. It were to be wished, that all such writers would read the paper upon this subject, No. 451, Vol. VI. Sir W. hopes likewise, that the Ghost will not believe that flattery, or gladiatorial vanity, or any desire of the golden cup, or its contents, called him forth.

'He stood forth upon a principle that no honest man should be ashamed of, upon the principle of Horace, who nobly and truly said,

——— *Amicum*
Qui non defendit, alio culpante—Hic niger est;

more especially when that friend is most unjustly attacked. He thinks that a real signature is better than a fictitious one, as the knowledge of the man is the surest guide to form a judgment of his motives for writing. He has indeed the *vanity* to think that no man living writes from more *disinterested* motives than himself, having studiously quitted what is called *the great* world and all its *pursuits*. But he is not so totally lost to the sense of worldly knowledge, as not to foresee that the many distractions of this poor afflicted country must end in its ruin, if some salutary means are not speedily taken to prevent it. This kingdom abounds with great men, capable of advising and of acting in the most efficacious manner for the *public* good; but unanimity must be the basis. If they can be prevailed upon to *forgive*, to *forget*, to *unite*, sincerely, there is no occasion to *despair* of the commonwealth. Sir W. cannot subscribe to the Ghost's opinion, that the *vox populi* is the *vox Dei*. It would be too irreverent, it would vainly attempt to convert the immutable Deity into a most changeable and capricious being; nor would he *take even the Ghost's word*, or that of the greatest lawyer in the kingdom, should he affirm it. The voice of the people was heard loudly and strongly in favour of our great minister, Mr Pitt. In this one instance it was just; but was it formerly less strong, less loud, in the favour of Titus Oates, the most abandoned of men? The voice of the people, and the voice of truth, are not always together: the *latter* must *descend* from *above*, the former but too often arises from *below*. In plain English, it generally comes out of the barrel and the cellar, as some honest bottlemen know full well.'

In the following letter, inserted in the Public Advertiser about the same time, lord Granby appears to have found a fuller, if not an abler, advocate than even his friend sir William. It has various claims for an introduction in the present place; but chiefly, because JUNIUS himself, in a postscript to Letter V. (inserted in the copy that appeared in the Public Advertiser, but omitted in his own edition) notices it with a view of answering it; although from a second resolution, not to reply under this signature to anonymous addresses, he never fulfilled his intention. The postscript is as follows:

'I had determined to leave the commander-in-chief in the quiet enjoyment of his friend and his bottle; but Titus deserves an answer, and *shall have* a complete one.'

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

LONG and impatiently have I waited to see justice done to a much-injured character. From the goodness of the cause, my expectations were great, but I have been cruelly disappointed. To enter the lists against such an able antagonist upon equal terms, would be the height of presumption; but truth, plainly and simply told, I doubt not, will show itself superior to falsehood, though dressed in the most beautiful language of the elegant JUNIUS.

Unprejudiced by party, unbiassed by faction, it grieves me exceedingly, that a spirit of licentiousness should be able so far to influence some of the greatest geniuses of this nation. Is it possible to see without concern some of the most respectable names, and the most unexceptionable characters, so undeservedly attacked, and detraction conveyed in the most persuasive language, from the masterly pen of an accomplished writer? When every man of superior talents ought to exert himself to the utmost to support the dignity of government, how unfortunate is it that the greatest abilities are made subservient to a factious spirit, totally subversive of all the principles of social happiness! But the times are become so unpardonably licentious, that the greater the name, the higher the rank, the more dignified the character, and the more exalted the station, the more they become the objects of envy, while the envenomed darts of illiberal abuse are pointed by the sons of sedition from every quarter, with unparalleled malice and unrelenting fury.

Subordination and subjection is the province

one but its master! For JUNIUS must not think to put words into my mouth, that seem too foul even for his own.

My friend's political engagements I know not, so cannot pretend to explain them, or assert their consistency. I know not

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of some; superiority and command undoubtedly belongs to the station of others. Obedience to the laws, respect for the magistrate, and duty to superiors, are essentially necessary in every well-governed state. Every attempt then to make the laws, or the magistrate, be less respected, and every endeavour to break the chain of subordination, so necessary in civil society, tends to the destruction of government, and to the introtion of anarchy and confusion.

That factious, turbulent, licentious minds should make this their constant employment, is not to be wondered at; but for people of sense, judgment, and abilities, to make it their study, is amazing indeed! — What end can it answer? What purpose can it serve? If our superiors should do any thing contrary to the laws, or prejudicial to the interests of this country; if they should use any means to encroach upon our liberties, to deprive us of our privileges, or to subvert that happy form of government which we now enjoy; surely there are other means of redress left, besides calumniating magistrates, judges, generals, and ministers. Though party prejudice, and the influence of passion, may carry even men of sense to extraordinary lengths sometimes, yet I am convinced that a cool dispassionate moment's reflection, will point out more constitutional remedies for all our misfortunes, than a factious appeal to a giddy, unthinking, uninformed mob: and very little demonstration will be necessary to make it evident, that the unbounded abuse of dignities, tends to make the bulk of the people trample on all law, despise subordination, and destroy that government from which they claim protection.

JUNIUS is possessed of superior abilities; he has a flow of fine language at his command, his composition is masterly, his style elegant, and the arrangement of his words is beautiful and harmonious. What excellent purposes might these talents serve, were they employed for the service of his country! What a pity they should be prostituted to depreciate government, and made subservient to such unphilosophic passions! unworthy of the man—unworthy of the pen of the accomplished JUNIUS!—Not one of the king's servants escapes him; but (for what cause heaven knows) his most pointed shafts have been directed against the commander-in-chief, who is, perhaps, the most unexceptionable character in the present administration. I was in hopes sir W. Draper would have continued a defence so worthy of his abilities; but I imagine he is so busy at present about building his temple to Concord, and perhaps so taken up with his new friend, Mr Wilkes, that he has forgot the correspondence he gave rise to, where lord Granby is attacked in a most unpardonable manner; where he has been insulted as a soldier, despised as a general, his generosity laughed at, and even his private hours of social relaxation have been most ungenerously held up as an object of ridicule to the public eye.—For shame, JUNIUS!—this was not well done.—Whatever censure may be due to a man's public character, it is unmanly—it is cruel—it is unjust, to bring the secrets of social amusement, and the unguarded hour of convivial enjoyment, to be held out as an object of censure to the unfriendly world!—Have you a spark of generosity left, JUNIUS! and can you read this without a blush?

My lord Granby's character, as a man, as a soldier, and even as a general, will stand the test. The honesty of his heart, the integrity of his intentions, his intrepidity as a soldier, and his conduct as an officer, are unimpeached. It is true, his talents as commander-in-chief have never been tried in the field; but if we may be allowed to judge from the whole of his conduct during the late war in Germany, where the execution of many important enterprises were entrusted to him by one of the greatest generals, and one of the best judges of military merit, in Europe, we may form great expectations, with the highest probability of not being disappointed. — *He knows how to obey;* he knows that a good soldier *never disputes the commands* of his superior. He always discharged his duty to the satisfaction of duke Ferdinand, whose approbation, thanks, and acknowledgments he repeatedly obtained. Wherever he was employed, he gained honour to himself—he was beloved and esteemed by the army under his command—he was honoured and respected by the enemy—dear to the victors! generous to the vanquished! You know, JUNIUS, that he *feared not to lead on the cavalry* at Minden. He gained glory and honour at Warburg. It was the corps under his command who fought and gained the battle of Phillinghausen. He was principally concerned, and acted as became the soldier and general, at Wilhelmstahl. And towards the end of the war, when the army was so situated, that if a rising ground on the left had been taken possession of by the French, it might have been attended with the worst consequences; and when the generals destined to lead a corps to occupy it, declared the service impracticable, my lord Granby arose from a sick-bed, in the middle of the night assumed the command of the corps, marched, with a fever upon him, in an inclement season, took possession of the post, and secured the army.—This did the soldier!

Is it necessary to ask where my Lord deserved every thing he has got after this? These are but few instances, among many others, where his Lordship acquired unfading laurels. But after all, what are the posts—what are the employments of trust and profit which he has centered in himself and family, since he became commander-in-chief? He is at the head of the army without pay; one of the name of Manners has been promoted from half-pay to a troop, and

whether JUNIUS be considerable enough to belong to any party; if he should be so, can he affirm that he has always adhered to one set of men and measures? Is he sure that he has never sided with those whom he was first hired to abuse? Has he never abused those he was hired to praise? To say the truth, most men's politics sit much too loosely about them. But as my friend's military character was the chief object that engaged me in this controversy, to that I shall return.

JUNIUS asks what instances my friend has given of his military skill and capacity as a general? When and where he gained his honour? When he deserved his emoluments? The united voice of the army which served under him, the glorious testimony of prince Ferdinand, and of vanquished enemies, all Germany will tell him. JUNIUS repeats the complaints of the army against parliamentary influence. I love the army too well, not to wish that such influence were less. Let JUNIUS point out the time when it has not prevailed. It was of the least force in the time of that great man, the late duke of Cumberland, who, as a prince of the blood, was able as well as willing to stem a torrent which would have overborne any private subject. In time of war this influence is small. In peace, when discontent and faction have the surest means to operate, especially in this country, and when, from a scarcity of public spirit, the wheels of government are rarely moved but by the power and force of obligations, its weight is always too great. Yet, if this influence at present has done no greater harm than the placing earl Percy at the head of a regiment, I do not think that either the rights or best interests of the army are sacrificed and betrayed, or the nation undone. Let me ask JUNIUS, if he knows

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another he has appointed his aide-de-camp: and those of his friends who have been distinguished by royal favour, are so eminent in their profession, that hitherto the tongue of malice has not dared to move against them. His own employments are marks of royal favour and confidence, the consequence of long and faithful services.—These were not acquired by factious conduct, or licentious scribbling: no, Sir, he, like every man of honour, would disdain to be distinguished by such inglorious means.

Well do you know, JUNIUS, that it would have been in vain for my lord Granby to have opposed the nomination of my lord Percy; and you know as well, that this is not the first time ministerial influence has been too powerful for a military commander. It is equally ungenerous and unjust therefore, to say that he has betrayed the interests of the army. It is well known, that the general condition of the army is better, much better, at present than it has been for many years, even in America, and the garrisons abroad: your information therefore is ill founded in this point; but the truth is, JUNIUS is no friend to lord Granby, and is willing to believe, and ready to propagate, every infamous report to his disadvantage.

My lord Granby's generosity, Sir, knows no bounds; but it is directed to much nobler objects than you would endeavour to insinuate. Often have I seen his generous hand stretched out to supply the wants of the needy soldier; nor did the meanest follower of the camp go hungry from his door. His house was open equally to British and foreigners: his table was hospitality itself, and his generous, open countenance gave a hearty welcome to all his guests. Hence harmony reigned through the whole army, disputes had no existence, and officers of different nations emulated the social virtues of the British chief. By such means he gained the hearts of all the army; they followed him with confidence, and fought under him from attachment. No danger was too much—no attempt too daring, under his command Whatever JUNIUS may think (though he may, for aught I know, be *perfectly unacquainted with them himself*) the gaining the affections of the soldiers will always be esteemed no mean qualification in a general.

My lord Granby has his foibles and weaknesses, no doubt of it; so has every man. Is there one on earth perfect? But to expose these foibles and weaknesses with all the power of persuasive language, while you conceal, slightly pass over, or endeavour to ridicule those shining parts of his character, those eminent virtues which *you cannot imitate*, it is ungenerous, and very unlike the gentleman.

You will forgive me, I hope, Mr Printer, for troubling you with an epistle of such an amazing length; but I hope you will think with me that the subject required it. I acknowledge myself very unequal to speak of my Lord as he deserves; but I have attempted this much, from an opinion, that when such an unexceptionable character is attacked, the defence becomes a public concern. It matters not, whether the malicious dart be pointed from the closet courage of a disgraced soldier, the oratorical powers of a disappointed dependant politician, or from the mad ravings of a lunatic adventurer; the sensible, unprejudiced part of mankind will see their infamous motives, and they will alike despise the illiberal production and the ungenerous author.

TITUS.—EDIT.

any one nobleman in the army, who has had a regiment by seniority? I feel myself happy in seeing young noblemen of illustrious name and great property come among us. They are an additional security to the kingdom from foreign or domestic slavery. JUNIUS needs not be told, that should the time ever come, when this nation is to be defended only by those, who have nothing more to lose than their arms and their pay, its danger will be great indeed. A happy mixture of men of quality with soldiers of fortune is always to be wished for. But the main point is still to be contended for, I mean the discipline and condition of the army, and I still must maintain, though contradicted by JUNIUS, that it was never upon a more respectable footing, as to all the essentials that can form good soldiers, than it is at present. JUNIUS is forced to allow that our army at home may be in some tolerable order; yet how kindly does he invite our late enemies to the invasion of Ireland, by assuring them that the army in that kingdom is totally ruined! (The colonels of that army are much obliged to him.) I have too great an opinion of the military talents of the lord-lieutenant, and of their diligence and capacity, to believe it. If from some strange, unaccountable fatality, the people of that kingdom cannot be induced to consult their own security, by such an effectual augmentation, as may enable the troops there to act with power and energy, is the commander-in-chief here to blame? Or is he to blame, because the troops in the Mediterranean, in the West Indies, in America, labour under great difficulties from the scarcity of men, which is but too visible all over these kingdoms! Many of our forces are in climates unfavourable to British constitutions: their loss is in proportion. Britain must recruit all these regiments from her own emaciated bosom, or, more precariously, by Catholics from Ireland. We are likewise subject to the fatal drains to the East Indies, to Senegal, and the alarming emigrations of our people to other countries: Such depopulation can only be repaired by a long peace, or by some sensible bill of naturalization.

I must now take the liberty to talk to JUNIUS on my own account. He is pleased to tell me that he addresses himself to me *personally*. I shall be glad to see him. It is his *impersonality* that I complain of, and his invisible attacks; for his dagger in the air is only to be regarded, because one cannot see the hand which holds it; but had he not wounded other people more deeply than myself, I should not have obtruded myself at all on the patience of the public.

Mark how a plain tale shall put him down, and transfuse the blush of my ribband into his own cheeks. JUNIUS tells me, that, at my return, I zealously undertook the cause of the gallant army, by whose bravery at Manilla my own fortunes were established; that I complained, that I even appealed to the public. I did so; I glory in having done so, as I had an undoubted right to vindicate my own character, attacked by a Spanish memorial, and to assert the rights of my brave companions. I glory likewise that I have never taken up my pen, but to vindicate the injured. JUNIUS asks by what accident did it happen, that in the midst of all this bustle, and all these clamours for justice to the injured troops, the Manilla ransom was suddenly buried in a profound, and, since that time, an uninterrupted silence? I will explain the cause to the public. The several ministers who have been employed since that time have been very desirous to do us justice from two most laudable motives, a strong inclination to assist injured bravery, and to acquire a well, deserved popularity to themselves. Their efforts have been in vain. Some were ingenuous enough to own, that they could not think of involving this distressed nation into another war for our private concerns. In short, our rights for the present are sacrificed to national convenience; and I must confess, that although I may lose five-and-twenty thousand pounds by their acquiescence to this breach of faith in the Spaniards, I think they are in the right to temporize, considering the critical

situation of this country, convulsed in every part by poison infused by anonymous, wicked, and incendiary writers. Lord Shelburne will do me the justice to own, that, in September last, I waited upon him with a joint memorial from the admiral sir S. Cornish and myself, in behalf of our injured companions. His Lordship was as frank upon the occasion as other secretaries had been before him. He did not deceive us by giving any immediate hopes of relief.

JUNIUS would basely insinuate, that my silence may have been purchased by my government, by my *blushing* ribband, by my regiment, by the sale of that regiment, and by my half-pay as an Irish colonel.

His Majesty was pleased to give me my government,[1] for my services at Madras. I had my first regiment in 1757. Upon my return from Manilla, his Majesty, by lord Egremont, informed me, that I should have the first vacant red ribband, as a reward for my services in an enterprise, which I had planned as well as executed. The duke of Bedford and Mr Grenville confirmed those assurances many months before the Spaniards had protested the ransom bills. To accommodate lord Clive, then going upon a most important service to Bengal, I waved my claim to the vacancy which then happened. As there was no other vacancy until the duke of Grafton and lord Rockingham were joint ministers, I was then honoured with the order, and it is surely no small honour to me, that in such a succession of ministers, they were all pleased to think that I had deserved it; in my favour they were all united. Upon the reduction of the 79th regiment, which had served so gloriously in the East Indies, his Majesty, unsolicited by me, gave me the 16th of foot as an equivalent. My motives for retiring afterwards are foreign to the purpose; let it suffice, that his Majesty was pleased to approve of them; they are such as no man can think indecent, who knows the shocks that repeated vicissitudes of heat and cold, of dangerous and sickly climates, will give to the best constitutions in a pretty long course of service. I resigned my regiment to colonel Gisborne, a very good officer, for his half-pay, and £200 Irish annuity;[2] so that, according to JUNIUS, I have been bribed to say nothing more of the Manilla ransom, and sacrifice those brave men by the strange avarice of accepting three hundred and eighty pounds per annum, and giving up eight hundred! If this be bribery, it is not the bribery of these times. As to my flattery, those who know me will judge of it. By the asperity of JUNIUS's style, I cannot indeed call him a flatterer, unless it be as a cynic or a mastiff; if he wags his tail, he will still growl, and long to bite. The public will now judge of the credit that ought to be given to JUNIUS's writings, from the falsities that he has insinuated with respect to myself.

WILLIAM DRAPER.

[1] Yarmouth.—EDIT.

[2] The letter, as it appeared in the Public Advertiser, stated, by mistake, '*twelve* hundred pounds Irish annuity!' and the error has been hitherto propagated through every edition of JUNIUS's Letters, without a single exception. In a note addressed to the printer, however, and published in the same newspaper, Feb. 22, 1769, the mistake is announced, and corrected as follows.

SIR,

I BEG the favour of you to correct the following error in my answer to JUNIUS.

Instead of £1200 please to put, 'and £200 Irish annuity.'

I am, Sir,
Yours, &c.
W. DRAPER.

Feb. 19. EDIT.

LETTER V.

TO SIR WILLIAM DRAPER, KNIGHT OF THE BATH.

SIR, 21 *February*, 1769.

I SHOULD justly be suspected of acting upon motives of more than common enmity to lord Granby, if I continued to give you fresh materials or occasion for writing in his defence. Individuals who hate, and the public who despise him, have read *your* letters, sir William, with infinitely more satisfaction than mine. Unfortunately for him, his reputation, like

that unhappy country to which you refer me for his last military achievements, has suffered more by his friends than his enemies. In mercy to him, let us drop the subject. For my own part, I willingly leave it to the public to determine whether your vindication of your friend has been as able and judicious, as it was certainly well intended; and you, I think, may be satisfied with the warm acknowledgments he already owes you, for making him the principal figure in a piece, in which, but for your amicable assistance, he might have passed without particular notice or distinction.

In justice to your friends, let your future labours be confined to the care of your own reputation. Your declaration, that you are happy in seeing young noblemen *come among us*, is liable to two objections. With respect to lord Percy, it means nothing, for he was already in the army. He was aid-de-camp to the king, and had the rank of colonel. A regiment therefore could not make him a more military man, though it made him richer, and probably at the expense of some brave, deserving, friendless officer. — The other concerns yourself. After selling the companions of your victory in one instance, and after selling your profession in the other, by what authority do you presume to call yourself a soldier? The plain evidence of facts is superior to all declarations. Before you were appointed to the 16th regiment, your complaints were a distress to government; —from that moment you were silent. The conclusion is inevitable. You insinuate to us that your ill state of health obliged you to quit the service. The retirement necessary to repair a broken constitution would have been as good a reason for not accepting, as for resigning the command of a regiment. There is certainly an error of the press, or an affected obscurity in that paragraph, where you speak of your bargain with colonel Gisborne.[1] Instead of attempting to answer what I really do not understand, permit me to explain to the public what I really know. In exchange for your regiment, you accepted of a colonel's half-pay (at least £220 a year) and an annuity of £200 for your own and lady Draper's life jointly.——And is this the losing bargain, which you would represent to us, as if you had given up an income of £800 a year for £380? Was it decent, was it honourable, in a man who pretends to love the army, and calls himself a soldier, to make a traffic of the royal favour, and turn the highest honour of an active profession into a sordid provision for himself and his family? It were unworthy of me to press you farther. The contempt with which the whole army heard of the manner of your retreat, assures me that as your conduct was not justified by precedent, it will never be thought an example for imitation.

The last and most important question remains. When you receive your half-pay, do you, or do you not, take a solemn oath, or sign a declaration upon honour, to the following effect? *That you do not actually hold any place of profit, civil or military, under his Majesty.* The charge which this question plainly conveys against you, is of so shocking a complexion, that I sincerely wish you may be able to answer it well, not merely for the colour of your reputation, but for your own inward peace of mind.

JUNIUS.

[1] See the error corrected in the editor's note to the preceding Letter.—EDIT.

LETTER VI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *27 February*, 1769.

I HAVE a very short answer for JUNIUS's important question: I do not either take an oath, or declare upon honour, that I have no *place* of profit, *civil* or military, when I receive the half-pay as an Irish colonel. My most gracious sovereign gives it me as a pension; he was pleased to think I deserved it. The annuity of £200 Irish, and the equivalent for the half-pay together, produce no more than £380

per annum, clear of fees and perquisites of office. I receive £167 from my government of Yarmouth. Total £547 per annum. My conscience is much at ease in these particulars; my friends need not blush for me.

JUNIUS makes much and frequent use of interrogations: they are arms that may be easily turned against himself. I could, by malicious interrogations, disturb the peace of the most virtuous man in the kingdom; I could take the decalogue, and say to one man, Did you never steal? To the next, Did you never commit murder? And to JUNIUS himself, who is putting my life and conduct to the rack, Did you never bear false witness against thy neighbour? JUNIUS must easily see, that unless he affirms the contrary in his real name, some people who may be as ignorant of him as I am, will be apt to suspect him of having deviated a little from the truth: therefore let JUNIUS ask no more questions. You bite against a file: cease, viper.

W. D.

LETTER VII.

TO SIR WILLIAM DRAPER, KNIGHT OF THE BATH.

SIR, 3 *March*, 1769.

AN academical education has given you an unlimited command over the most beautiful figures of speech. Masks, hatchets, racks, and vipers dance through your letters in all the mazes of metaphorical confusion. These are the gloomy companions of a disturbed imagination; the melancholy madness of poetry, without the inspiration. I will not contend with you in point of composition. You are a scholar, sir William, and, if I am truly informed, you write Latin with almost as much purity as English. Suffer me then, for I am a plain unlettered man, to continue that style of interrogation, which suits my capacity, and to which, considering the readiness of your answers, you ought to have no objection. Even Mr Bingley[1] promises to answer, if put to the torture.

Do you then really think that, if I were to ask a *most virtuous man* whether he ever committed theft, or murder, it would disturb his peace of mind? Such a question might perhaps discompose the gravity of his muscles, but I believe it would little affect the tranquillity of his conscience. Examine your own breast, sir William, and you will discover, that reproaches and enquiries have no power to afflict either the man of unblemished integrity, or the abandoned profligate. It is the middle compound character which alone is vulnerable; the man who, without firmness enough to avoid a dishonourable action, has feeling enough to be ashamed of it.

I thank you for your hint of the decalogue, and shall take an opportunity of applying it to some of your *most virtuous* friends in both Houses of parliament.

You seem to have dropped the affair of your regiment; so let it rest. When you are appointed to another, I dare say you will not sell it either for a gross sum, or for an annuity upon lives.

I am truly glad (for really, sir William, I am not your enemy, nor did I begin this contest with you[2]) that you have been able

[1] This man, being committed by the Court of King's Bench for a contempt, voluntarily made oath, that he would never answer interrogatories, unless he should be put to the torture.—AUTHOR.

Bingley was by trade a printer; and in the character here referred to, a witness for the crown, in a cause between government and Wilkes. It is difficult to say for what purpose this man was subpœnaed on either side; for his obstinacy was so extreme, that he could not be induced to answer the interrogatories addressed to him on the part either of the plaintiff or defendant. It was on this account he was committed to the King's Bench prison, where he continued as refractory as in the King's Bench Court—he was at length discharged, on the motion of the attorney-general, without any submission on his own part, from the mere idea that he had suffered severely enough for his contumacy.—See a further account of this transaction, Letter XLI., p. 247, note.—EDIT.

[2] The politics of sir William Draper were certainly not violent, and he appears to have been rather a private friend of the marquis's than a partisan on either side of the question. The following letter, published by him in the Public Advertiser, in the very midst of his dispute with JUNIUS, is highly creditable to his liberality, and

to clear yourself of a crime, though at the expense of the highest indiscretion. You say that your half-pay was given you by way of pension. I will not dwell upon the

sufficiently proves the truth of the assertion of JUNIUS, that he could not be, at least upon political principles, sir William's enemy.

TO THE PRINTER.

SIR, *Clifton, February 6th*, 1769.

IF the voice of a well-meaning individual could be heard amidst the clamour, fury, and madness of the times, would it appear too rash and presumptuous to propose to the public, that an act of indemnity and oblivion may be made for all past transactions and offences, as well with respect to Mr Wilkes as to our colonies? Such salutary expedients have been embraced by the wisest of nations: such expedients have been made use of by our own, when the public confusion had arrived to some very dangerous and alarming crisis; and I believe it needs not the gift of prophecy to foretell that some such crisis is now approaching. Perhaps it will be more wise and praiseworthy to make such an act immediately, in order to prevent the possibility (not to say the probability) of an insurrection at home and in our dependencies abroad, than it will be to be obliged to have recourse to one after the mischief has been done, and the kingdom has groaned under all the miseries that avarice, ambition, hypocrisy, and madness, could inflict upon it. An act of grace, indemnity, and oblivion, was passed at the restoration of king Charles the Second; but I will venture to say that had such an act been seasonably passed in the reign of his unhappy father, the civil war had been prevented, and no restoration had been necessary. Is it too late to recall all the messengers and edicts of wrath? Cannot the money that is now wasted in endless and mutual prosecutions, and in stopping the mouth of one person, and opening that of another, be better employed in erecting a temple to Concord? Let Mr Wilkes lay the first stone, and such a stone as I hope the builders will not refuse. May this parliament, to use lord Clarendon's expression, be called 'The healing parliament!' May our foul wounds be cleansed and then closed! The English have been as famous for good-nature as for valour: let it not be said that such qualities are degenerated into savage ferocity. If any of my friends in either House of legislature shall condescend to listen to and improve these hints, I shall think that I have not lived in vain.

WILLIAM DRAPER.

Sir William, in return, if he ever had any personal enmity against JUNIUS, appears to have relinquished it completely a short time after the contest, if we may judge from the following anecdote given by Mr Campbell in his Life of Hugh Boyd, p. 247.

'Some months after the Letters of JUNIUS were published collectively, Boyd met sir William Draper at the tennis court, where their acquaintance was originally formed in the year 1769, and where (being both great tennis players) they used often to meet; the conversation turning upon JUNIUS, sir William observed, 'That though JUNIUS had treated him with extreme severity, he now looked upon him as a very honest fellow; that he freely forgave him for the bitterness of his censures, and that there was no man with whom he would more gladly drink a bottle of old Burgundy.'—EDIT.

It has been said, and I believe truly, that it was signified to sir William Draper, as the request of lord Granby, that he should desist from writing in his Lordship's defence. Sir William Draper certainly drew JUNIUS forward to say more of lord Granby's character than he originally intended. He was reduced to the dilemma of either being totally silenced, or of supporting his first letter. Whether sir William had a right to reduce him to this dilemma, or to call upon him for his name, after a voluntary attack on *his* side, are questions submitted to the candour of the public.—The death of lord Granby was lamented by JUNIUS. He undoubtedly owed some compensations to the public, and seemed determined to acquit himself of them. In private life, he was unquestionably that good man, who, for the interest of his country, ought to have been a great one. *Bonum virum facilè dixeris;—magnum libenter.* I speak of him now without partiality;—I never spoke of him with resentment. His mistakes, in public conduct, did not arise either from want of sentiment, or want of judgment, but in general from the difficulty of saying NO to the bad people who surrounded him.

As for the rest, the friends of lord Granby should remember, that he himself thought proper to condemn, retract, and disavow, by a most solemn declaration in the House of Commons, that very system of political conduct, which JUNIUS had held forth to the disapprobation of the public.—AUTHOR.

This took place January the 30th, 1770, in a committee on the state of the nation, in which the affair of the Middlesex election was particularly discussed; and on which occasion the marquis of Granby delivered himself as follows:—

'I am sorry I am obliged to declare myself against the motion; but I cannot see what right this House can have to receive any person into it as a member except by the full choice of his constituents. It was for want of considering the nice distinction between expulsion and incapacitation that I gave my vote for the sitting of a member who was not returned in the last session of this parliament. That vote I shall always lament as the greatest misfortune of my life. I now see the Middlesex election in another light: I now see that though this House has an unquestionable and long-established right to expel, yet that a right to incapacitate is lodged only in the legislature collectively. I see that I was in an error, and I am not ashamed to make this public declaration of it, and give my vote for the amendment.'

The belief of JUNIUS, 'that it was signified to

singularity of uniting in your own person two sorts of provision, which in their own nature, and in all military and parliamentary views, are incompatible ; but I call upon you to justify that declaration, wherein you charge your sovereign with having done an act in your favour, notoriously against law. The half-pay, both in Ireland and England, is appropriated by parliament ; and if it be given to persons who, like you, are legally incapable of holding it, it is a breach of law. It would have been more decent in you to have called this dishonourable transaction by its true name ; a job to accommodate two persons, by particular interest and management at the Castle. What sense must government have had of your services, when the rewards they have given you are only a disgrace to you !

And now, sir William, I shall take my leave of you for ever. Motives very different from any apprehension of your resentment, make it impossible you should ever know me. In truth, you have some reason

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sir W. D. as the request of lord G. that he should desist from writing in his Lordship's defence,' is farther confirmed by the following notice appended to a letter on the subject of this controversy, signed Aurelius, inserted in the Public Advertiser, March 11, 1769. 'We must now beg leave to drop this dispute, as the printer has received a hint that its continuance will be disagreeable.'

Sir W. Draper, as far as lord Granby was implicated, dropped the subject ; though he subsequently wrote the following letter in defence of his own conduct, in which he again calls upon JUNIUS to avow himself.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *Clifton, April 24th*, 1769.

A GENTLEMAN who signed himself *An Half-pay Subaltern*, has called upon me to stand forth in the behalf of the much-distressed officers now upon half-pay. He was pleased to say, that I have an effectual method of being *really* serviceable to the officers of my reduced regiment. I should have been happy in receiving, by a private letter, that gentleman's idea of relief for them ; could have wished he had made use of a more agreeable mode of application than a public newspaper ; as unluckily these *ill-seasoned provocatives* are more apt to *disgust* than *quicken* the desire of doing good, especially when they are accompanied by invidious reflections, both rash and ill founded : at present I am quite at a loss to find out by what means a person out of parliament, who has long retired from the *great world*, and who of course has but very little influence or interest, can be of much use to those gallant and distressed gentlemen ; to many of whom I have the greatest obligations ; of which I have, upon all occasions, made the most public and grateful acknowledgments ; nor was there the smallest necessity to *wake* me in this loud manner to a remembrance of their important services, although the writer has been pleased to charge me with *forgetfulness ;* a most *heavy* imputation ! as it implies ingratitude towards those by whom I have been so essentially assisted, and to whom I am so much indebted for my *good fortune ;* which however is not so *great* as the gentleman imagines ; he himself forgets that the Spaniards have also *forgot* to pay the ransom. If he could quicken their memory, instead of mine, the officers would be more obliged to him.

Their bravery has given me a competency, a *golden mediocrity*, but not much affluence or luxury, which is a stranger to my house as well as to my thoughts ; and I here most solemnly declare (notwithstanding the *false assertions* of *a* JUNIUS, who has told the world that I had *sold the partners* of my victory, and then *gravely* asked me if I were not guilty of perjury) that my income is now less than when I first went to Manilla. It is true, that its being so is by my own choice : I am voluntarily upon an equivalent for half-pay ; and although I would most willingly stand forth in the service of my king and country, should the necessity of the times demand my poor assistance, yet I would not again accept of any regiment whatsoever, or interfere with the pretensions of those officers, whose good fortune has been less than their merits : and I here most solemnly declare, that I never received either from the East India Company, or from the Spaniards, directly or indirectly, any *present* or *gratification*, or any circumstance of emolument whatsoever, to the amount of five shillings, during the whole course of the expedition, or afterwards, my legal prize-money excepted. The Spaniards know that I refused the sum of fifty thousand pounds offered me by the archbishop, to mitigate the terms of the ransom, and to reduce it to half a million, instead of a *whole* one : so that had I been disposed to have *basely sold* the partners of my victory, avarice herself could not have wished for a richer opportunity.

The many base insinuations, that have been of late thrown out to my disadvantage in the public papers, oblige me to have recourse to the same channel for my vindication ; and flatter myself that the public will be candid enough not to impute it to arrogance, vanity, or the impertinence of egotism ; and hope that as much credit will be given to the assertions of a man, who is ready to seal his testimony with his blood, as to a writer, who when repeatedly called upon to avow himself, and personally maintain his accusation, still skulks in the dark, or in the *mean* subterfuge of a mask.

W. D.

to hold yourself indebted to me. From the lessons I have given you, you may collect a profitable instruction for your future life. They will either teach you so to regulate your conduct, as to be able to set the most malicious enquiries at defiance; or, if that be a lost hope, they will teach you prudence enough not to attract the public attention to a character, which will only pass without censure, when it passes without observation.

JUNIUS.

LETTER VIII.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 18 *March*, 1769.

BEFORE you were placed at the head of affairs, it had been a maxim of the English government, not unwillingly admitted by the people, that every ungracious or severe exertion of the prerogative should be placed to the account of the minister; but that whenever an act of grace or benevolence was to be performed, the whole merit of it should be attributed to the sovereign himself.[1] It was a wise doctrine, my Lord, and equally advantageous to the king and to his subjects; for while it preserved that suspicious attention, with which the people ought always to examine the conduct of ministers, it tended at the same time rather to increase than to diminish their attachment to the person of their sovereign. If there be not a fatality attending every measure you are concerned in, by what treachery or by what excess of folly has it happened, that those ungracious acts, which have distinguished your administration, and which I doubt not were entirely your own, should carry with them a strong appearance of personal interest, and even of personal enmity, in a quarter, where no such interest or enmity can be supposed to exist, without the highest injustice and the highest dishonour? On the other hand, by what judicious management have you contrived it, that the only act of mercy, to which you ever advised your sovereign, far from adding to the lustre of a character, truly gracious and benevolent, should be received with universal disapprobation and disgust? I shall consider it as a ministerial measure, because it is an odious one; and as your measure, my Lord Duke, because you are the minister.

As long as the trial of this chairman was depending,[2] it was natural enough that government should give him every possible encouragement and support. The honourable service for which he was hired, and the spirit with which he performed it, made common cause between your Grace and him. The minister, who by secret corruption invades the freedom of elections, and the ruffian, who by open violence destroys that freedom, are embarked in the same bottom. They have the same interests, and mutually feel for each other. To do justice to your Grace's humanity, you felt for MacQuirk as you ought to do, and if you had been contented to assist him indirectly, without a notorious denial of justice, or openly insulting the sense of the nation, you might have satisfied every duty of political friendship, without committing the honour of your sovereign, or hazarding the reputation of his government. But when this unhappy man had been solemnly tried, convicted, and condemned;—when it appeared that he had been frequently employed in the same services, and that no

[1] Les rois ne se sont reservé que les graces. Ils renvoient les condamnations vers leurs officiers.—*Montesquieu.*

[2] The contest for the Middlesex election, in which Wilkes, though an outlaw, was four times returned through the favour of the populace, was conducted on both sides with the utmost violence and outrage. The court as well as the popular party had its committées and its hired mobs. Edward M'Quirk was one of the persons employed in the latter capacity, and how resolutely he fulfilled his office in heading one of the court mobs may be collected from his having been chiefly concerned in a fray, in which a man of the name of Clarke, belonging to the opposite mob, was killed. M'Quirk was committed to prison, and on his trial the jury found him guilty of murder, and he was of course condemned to be executed. By the advice of the minister, however, his Majesty interposed with his royal grace, and M'Quirk was pardoned.—EDIT.

excuse for him could be drawn either from the innocence of his former life, or the simplicity of his character, was it not hazarding too much to interpose the strength of the prerogative between this felon and the justice of his country?[1] You ought to have known that an example of this sort was never so necessary as at present; and certainly you must have known that the lot could not have fallen upon a more guilty object. What system of government is this? You are perpetually complaining of the riotous disposition of the lower class of people, yet when the laws have given you the means of making an example, in every sense unexceptionable, and by far the most likely to awe the multitude, you pardon the offence, and are not ashamed to give the sanction of government to the riots you complain of, and even to future murders. You are partial perhaps to the military mode of execution, and had rather see a score of these wretches butchered by the guards, than one of them suffer death by regular course of law.[2] How does it happen, my Lord, that, in *your* hands, even the mercy of the prerogative is cruelty and oppression to the subject?

The measure it seems was so extraordinary, that you thought it necessary to give some reasons for it to the public. Let them be fairly examined.

1. You say *that Messrs Bromfield and Starling were not examined at MacQuirk's trial.* I will tell your Grace why they were not. They must have been examined upon oath; and it was foreseen, that their evidence would either not benefit, or might be prejudicial to the prisoner. Otherwise, is it conceivable that his counsel should neglect to call in such material evidence?

2. You say that *Mr Foot did not see the deceased until after his death.* A surgeon, my Lord, must know very little of his profession, if, upon examining a wound, or a contusion, he cannot determine whether

[1] *Whitehall, March* 11, 1769. His Majesty has been graciously pleased to extend his royal mercy to Edward M'Quirk, found guilty of the murder of George Clarke, as appears by his royal warrant to the tenor following.

GEORGE R.

WHEREAS a doubt had arisen in Our Royal breast concerning the evidence of the death of George Clarke, from the representations of William Bromfield, Esq. surgeon, and Solomon Starling, apothecary; both of whom, as has been represented to Us, attended the deceased before his death, and expressed their opinions, that he did not die of the blow he received at Brentford: and whereas it appears to Us, that neither of the said persons were produced as witnesses upon the trial, though the said Solomon Starling had been examined before the coroner, and the only person called to prove that the death of the said George Clarke was occasioned by the said blow, was John Foot, surgeon, who never saw the deceased till after his death; We thought fit thereupon to refer the said representations, together with the report of the Recorder of Our city of London, of the evidence given by Richard and William Beale, and the said John Foot, on the trial of Edward Quirk, otherwise called Edward Kirk, otherwise called Edward M'Quirk, for the murder of the said Clarke, to the master, wardens, and the rest of the court of examiners of the Surgeons' company, commanding them likewise to take such further examination of the said persons so representing, and of the said John Foot, as they might think necessary, together with the premises above-mentioned, to form and report to Us their opinion, 'Whether it did or did not appear to them, that the said George Clarke died in consequence of the blow he received in the riot at Brentford on the 8th of December last.' And the said court of examiners of the Surgeons' company having thereupon reported to Us their opinion, 'That it did not appear to them that he did;' We have thought proper to extend Our royal mercy to him the said Edward Quirk, otherwise Edward Kirk, otherwise called Edward M'Quirk, and to grant him Our free pardon for the murder of the said George Clarke, of which he has been found guilty: Our will and pleasure therefore is, That he the said Edward Quirk, otherwise called Edward Kirk, otherwise called Edward M'Quirk, be inserted, for the said murder, in our first and next general pardon that shall come out for the poor convicts of Newgate, without any condition whatsoever; and that in the mean time you take bail for his appearance, in order to plead Our said pardon. And for so doing this shall be your warrant.

Given at Our court at St James's the 10th day of March, 1769, in the ninth year of our reign.

By his Majesty's command,
ROCHFORD.

To Our trusty and well beloved James Eyre, Esq., Recorder of Our city of London, the Sheriffs of Our said city and county of Middlesex, and all others whom it may concern.

[2] See this subject farther touched upon in Miscellaneous Letter No. XXIV.,—EDIT.

it was mortal or not.—While the party is alive, a surgeon will be cautious of pronouncing? whereas, by the death of the patient, he is enabled to consider both cause and effect in one view, and to speak with a certainty confirmed by experience.

Yet we are to thank your Grace for the establishment of a new tribunal. Your *inquisitio post mortem* is unknown to the laws of England, and does honour to your invention.[1] The only material objection to it is, that if Mr Foot's evidence was insufficient, because he did not examine the wound till after the death of the party, much less can a negative opinion, given by gentlemen who never saw the body of Mr Clarke, either before or after his decease, authorize you to supersede the verdict of a jury, and the sentence of the law.

Now, my Lord, let me ask you, Has it never occurred to your Grace, while you were withdrawing this desperate wretch from that justice which the laws had awarded, and which the whole people of England demanded, against him, that there is another man, who is the favourite of his country, whose pardon would have been accepted with gratitude, whose pardon would have healed all our divisions?[2] Have you quite forgotten that this man was once your Grace's friend? Or is it to murderers only that you will extend the mercy of the crown?

These are questions you will not answer. Nor is it necessary. The character of your private life, and the uniform tenor of your public conduct, is an answer to them all.

JUNIUS.

LETTER IX.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 10 *April*, 1769.

I HAVE so good an opinion of your Grace's discernment, that when the author of the vindication of your conduct assures us, that he writes from his own mere motion, without the least authority from your Grace,[3] I should be ready enough to believe him, but for one fatal mark, which seems to be fixed upon every measure, in which either your personal or your political character is concerned.—Your first

[1] This sentence, in a note to one of the editions of the Letters of JUNIUS, is said to have no correct meaning. 'JUNIUS,' says the commentator, 'thought that he had hit upon a forcible and quaintly allusive expression, hastily used it, and blundered into nonsense in the use.' The reader however shall now determine whether it is the author or the commentator who has *blundered into nonsense*.

The expression is, in fact, perfectly correct, though liable to be misunderstood without some attention. Every coroner's inquest, indeed, except in the cases of ship-wreck and treasure-trove, is, when exercised judicially, an *inquisitio post mortem;* but it can only *legally* take place *super visum corporis*, 'on the sight of the corpse or dead body;' on the spot where the death was produced; and by a jury summoned from the neighbourhood. In the instance before us none of these constitutional requisites were attended to; and JUNIUS might hence remark with the strictest accuracy, as well as the keenest irony, *Your* inquisitio post mortem is unknown to the laws of England.—EDIT.

[2] John Wilkes, formerly, and before the duke of Grafton had abandoned the party of lord Chatham, and had formed a party for himself, was one of his Grace's most confidential friends. He was at this time confined in the King's Bench prison, having surrendered himself to the jurisdiction of the court of this name, by which the sentence of outlawry had been pronounced against him. The immediate cause of the ministerial persecution of Wilkes, was the zeal with which he had opposed the existing cabinet, and especially the odium and disgrace in which the ministry had involved themselves by issuing a general warrant to seize all the papers and persons of whomsoever they *suspected* to be concerned in writing the forty-fifth number of the famous political and periodical paper called the North Briton, a joint publication of John Wilkes, Charles Churchill, and lord Temple. The question of general warrants was hereby necessarily brought before the public. The popular resentment was roused against the abettors of such a measure to the highest point of irascibility; and Wilkes, upon the next general election that ensued, was chosen member of parliament for the county of Middlesex, notwithstanding his outlawry, as a proof of the utter contempt in which the ministry were at this time held by the nation, rather than out of any personal regard for Wilkes himself, whose own misconduct must otherwise have been the ruin of him.—EDIT.

[3] He alludes to a pamphlet containing a long and laboured vindication of the duke of Grafton, attributed to the pen of Mr Edward Weston, writer of the Gazette.—EDIT.

attempt to support sir William Proctor ended in the election of Mr Wilkes; the second ensured success to Mr Glynn. The extraordinary step you took to make sir James Lowther lord paramount of Cumberland, has ruined his interest in that county for ever.[1] The House List of Directors was cursed with the concurrence of government;[2] and even the miserable Dingley could not escape the misfortune of your Grace's protection.[3] With this uniform experience before us, we are authorized to suspect, that when a pretended vindication of your principles and conduct in reality contains the bitterest reflections upon both, it could not have been written without your immediate direction and assistance. The author, indeed, calls God to witness for him, with all the sincerity, and in the very terms of an Irish evidence, *to the best of his knowledge and belief.* My Lord, you should not encourage these appeals to Heaven. The pious Prince, from whom you are supposed to descend, made such frequent use of them in his public declarations, that at last the people also found it necessary to appeal to Heaven in their turn. Your administration has driven us into circumstances of equal distress;——beware at least how you remind us of the remedy.

You have already much to answer for. You have provoked this unhappy gentleman to play the fool once more in public life, in spite of his years and infirmities, and to show us, that, as you yourself are a singular instance of youth without spirit, the man who defends you is a no less remarkable example of age without the benefit of experience. To follow such a writer minutely would, like his own periods, be a labour without end. The subject too has been already discussed, and is sufficiently understood. I cannot help observing, however, that, when the pardon of MacQuirk was the principal charge against you, it would have been but a decent compliment to your Grace's understanding, to have defended you upon your own principles. What credit does a man deserve, who tells us plainly, that the facts set forth in the king's proclamation were not the true motives on which the pardon was granted, and that he wishes that those chirurgical reports, which first gave occasion to certain doubts in the royal breast, had not been laid before his Majesty. You see, my Lord, that even your friends cannot defend your actions, without changing your principles, nor justify a deliberate measure of government, without contradicting the main assertion on which it was founded.

The conviction of MacQuirk had reduced you to a dilemma, in which it was hardly possible for you to reconcile your political interest with your duty. You were obliged either to abandon an active useful partisan, or to protect a felon from public justice. With your usual spirit, you preferred your interest to every other consideration; and with your usual judgment, you founded your determination upon the only motives, which should not have been given to the public.

I have frequently censured Mr Wilkes's conduct, yet your advocate reproaches me with having devoted myself to the service of sedition. Your Grace can best inform us, for which of Mr Wilkes's good qualities you first honoured him with your friendship, or how long it was before you discovered those bad ones in him, at which, it seems, your delicacy was offended. Remember, my Lord, that you continued your connexion with Mr Wilkes long after he had been convicted of those crimes, which you

[1] See note upon the Nullum Tempus bill, Letter LVII., in which the contest between sir James Lowther and the duke of Portland is detailed at large.—EDIT.

[2] At this period the whole four and twenty directors were annually chosen, and ten gentlemen, whose names were not inserted in the house list, were elected, notwithstanding the influence of government was exerted in its support.—EDIT.

[3] This unfortunate person had been persuaded by the duke of Grafton to set up for Middlesex, his Grace being determined to seat him in the House of Commons, if he had but a single vote. It happened unluckily, that he could not prevail upon any one freeholder to put him in nomination, and it was with difficulty he escaped out of the hands of the populace.

have since taken pains to represent in the blackest colours of blasphemy and treason. How unlucky is it, that the first instance you have given us of a scrupulous regard to decorum is united with the breach of a moral obligation! For my own part, my Lord, I am proud to affirm, that, if I had been weak enough to form such a friendship, I would never have been base enough to betray it. But, let Mr Wilkes's character be what it may, this at least is certain, that, circumstanced as he is with regard to the public, even his vices plead for him. The people of England have too much discernment to suffer your Grace to take advantage of the failings of a private character, to establish a precedent by which the public liberty is affected, and which you may hereafter, with equal ease and satisfaction, employ to the ruin of the best men in the kingdom.——Content yourself, my Lord, with the many advantages, which the unsullied purity of your own character has given you over your unhappy deserted friend. Avail yourself of all the unforgiving piety of the court you live in, and bless God that you 'are not as other men are; extortioners, unjust, adulterers, or even as this publican.' In a heart void of feeling, the laws of honour and good faith may be violated with impunity, and there you may safely indulge your genius. But the laws of England shall not be violated, even by your holy zeal to oppress a sinner; and though you have succeeded in making him the tool, you shall not make him the victim of your ambition.

JUNIUS.

LETTER X.

TO MR EDWARD WESTON.

SIR, 21 *April*, 1769.

I SAID you were an old man without the benefit of experience. It seems you are also a volunteer with a stipend of twenty commissions;[1] and at a period

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[1] Under the presumption that the pamphlet alluded to in the preceding letter, entitled a 'Vindication of the Duke of Grafton,' was written by Mr Weston, and which was avowedly defended by the author, whoever he was, in the Public Advertiser, under the signature of a 'Volunteer in the Government's Service,' the following short letter, addressed to that gentleman, obviously from the pen of JUNIUS, appeared in the same paper.

TO THE RIGHT HON. EDWARD WESTON.

SIR, *April* 20, 1769.

Your age, though oppressed with bodily and mental infirmities, which, for the world's edification, you have published to it, demands some respect, or the cause you have embarked in would entitle you to none. The last glimmerings of your expiring taper, however, do your hero no honour; and I fear the principle that has kindled it obtains you no credit. You are a privy counsellor in Ireland, writer of the Gazette, comptroller of the salt-office, a clerk of the signet, and a pensioner on the Irish establishment: such is the *Volunteer!* And you may remember, when you were under secretary of state, the division of £500 among ten people left to your discretion, of which you *modestly* claimed £400 for yourself. So honest, so upright, and so disinterested is the *man!* Let JUNIUS be the *dirty rascal* you call him, I know, you know, and the world knows, *what* YOU *are*.—CRITO.

This letter produced a short reply from the Volunteer, in which he denies that Mr Weston is the author of the pamphlet, or of the letters under that signature, and one from Poetikastos, who attacks JUNIUS in the following words:

'You conclude your despicable vindication of an honour which you do not possess, by asserting "that you are a master in the art of representing the treachery of the minister, and the abused simplicity of a ———" Villain! of whom? You who write under the name of JUNIUS, are a base scoundrel. You lie; and you may find out who gives you the lie.'

These letters occasioned the under-written answer:—

TO THE RIGHT HON. EDWARD WESTON.

April 27, 1769.

The old fox has been unkennelled, but is ashamed of his stinking tail. Either several people of intelligence and consideration have been grossly deceived, or our doughty *Volunteer* declares upon *his honour* an untruth. I cannot believe a misinformation, unless the world should have thought that no impertinent, expectant old fellow, could have been found to dispatch so lame an errand but you.

You seem ashamed of your generous distribution: I applaud your modesty! but it shall not be at the expense of truth. You did claim £400 out of £500 *for your own self*; and there are, I suppose, at least half a dozen people who can attest it. And you shall find that I dare say something else to your mortification, if you sup-

when all prospects are at an end, you are still looking forward to rewards, which you cannot enjoy. No man is better acquainted with the bounty of government than you are.

———ton impudence,
Temeraire vieillard, aura sa recompense.

But I will not descend to an altercation either with the impotence of your age, or the peevishness of your diseases. Your pamphlet,[1] ingenious as it is, has been so little read, that the public cannot know how far you have a right to give me the lie, without the following citation of your own words.

Page 6—'1. That he is persuaded that the motives, which he (Mr Weston) has alleged, must appear fully sufficient, with or without the opinions of the surgeons.

'2. That those very motives MUST HAVE BEEN the foundation, on which the earl of Rochford thought proper, &c.

'3. That he CANNOT BUT REGRET that the earl of Rochford seems to have thought proper to lay the chirurgical reports before the king, in preference to all the other sufficient motives,' &c.

Let the public determine whether this be defending government on their principles or your own.

The style and language you have adopted are, I confess, not ill suited to the elegance of your own manners, or to the dignity of the cause you have undertaken. Every common dauber writes rascal and villain under his pictures, because the pictures themselves have neither character nor resemblance. But the works of a master require no index. His features and colouring are taken from nature. The impression they make is immediate and uniform; nor is it possible to mistake his characters, whether they represent the treachery of a minister, or the abused simplicity of a king.

JUNIUS.

pose the world is not heartily tired of you, your petulance, and your crudities.

I don't believe the governors of Bedlam indulge their patients with newspapers, or I should have supposed that *Poetikastos* had obtained his genteel residence there. The poor raving creature bawls aloud for swords and pistols, and requires the *last* argument instead of the *best*. The public has pronounced upon his reason the judgment of *Felo de se*, from his own pen;—I am so impressed with humanity as to wish the coroner may not have the trouble of passing the same sentence upon his person from his sword. I should, however, pity the elegant JUNIUS, who well deserves the thanks of the independent public, if he was obliged to take notice of every fool, sycophant, and bully.—CRITO. EDIT.

[1] It is possible JUNIUS, though his information was generally accurate, was incorrect in attributing this pamphlet to Mr Weston. For, in a letter inserted by Mr Weston in the Public Advertiser a few months afterwards, October 14, he solemnly denies his having written this and a variety of pamphlets and letters attributed to him.—EDIT.

LETTER XI.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 24 *April*, 1769.

THE system you seemed to have adopted, when lord Chatham unexpectedly left you at the head of affairs, gave us no promise of that uncommon exertion of vigour, which has since illustrated your character, and distinguished your administration. Far from discovering a spirit bold enough to invade the first rights of the people, and the first principles of the constitution, you were scrupulous of exercising even those powers, with which the executive branch of the legislature is legally invested. We have not yet forgotten how long Mr Wilkes was suffered to appear at large, nor how long he was at liberty to canvass for the city[2] and county, with all the terrors of

[2] Prior to his offering himself for the county of Middlesex, Wilkes had become a candidate for the metropolis, and it was in consequence of his failure in the city, that he pressed forwards to the county. The populace, in both cases, were so numerously and so violently attached to him, that many serious riots were the consequence; and so outrageous were they in two or three instances, that the court party strenuously asserted that the city and even the palace itself were not free from danger. Of these riots, the two most serious that occurred, were on the meeting of parliament, when the populace surrounded the King's Bench prison from an expectation of seeing Wilkes, who had then been elected member for Middlesex, liberated, in order to take his seat in the senate, in the course of which several persons were killed by the firing of the military, and

an outlawry hanging over him.[1] Our gracious sovereign has not yet forgotten the extraordinary care you took of his dignity and of the safety of his person, when at a

on the counter-address to that of the city being carried to St James's by those who were deputed for this purpose; on which last occasion the Riot Act was read at the palace gate, and lord Talbot, the lord-steward, had his staff of office broken in his hand.—EDIT.

[1] As JUNIUS was extremely severe in his censures on lord Mansfield, it is deemed a mere act of justice to extract a part of his Lordship's speech on the reversal of Mr Wilkes's outlawry, by which it will appear, such was the temper of the times, that the chief justice was even privately threatened upon the occasion, should his decision of the cause be in opposition to the popular opinion of the day. The extract is well worthy the reader's perusal, as a specimen of eloquence not often equalled, and rarely excelled; it forms the conclusion of his address.

'I have now gone through the several errors assigned by the defendant, and which have been ingeniously argued and confidently relied on by his counsel at the bar; I have given my sentiments upon them, and if upon the whole, after the closest attention to what has been said, and with the strongest inclination in favour of the defendant, no arguments which have been urged, no cases which have been cited, no reasons that occur to me, are sufficient to satisfy me in my conscience and judgment that this outlawry should be reversed, I am bound to affirm it—and here let me make a pause.

'Many arguments have been suggested, both in and out of court, upon the consequences of establishing this outlawry, either as they may affect the defendant as an individual, or the public in general. As to the first, whatever they may be, the defendant has brought them upon himself; they are inevitable consequences of law arising from his own act; if the penalty, to which he is thereby subjected, is more than a punishment adequate to the crime he has committed, he should not have brought himself into this unfortunate predicament, by flying from the justice of his country; he thought proper to do so, and he must take the fruits of his own conduct, however bitter and unpalatable they may be; and although we may be heartily sorry for any person who has brought himself into this situation, it is not in our power, God forbid it should ever be in our power, to deliver him from it; we cannot prevent the judgment of the law by creating irregularity in the proceedings; we cannot prevent the consequence of that judgment by pardoning the crime; if the defendant has any pretensions to mercy, those pretensions must be urged, and that power exercised, in another place, where the constitution has wisely and necessarily vested it: the crown will judge for itself; it does not belong to us to interfere with punishment, we have only to declare the law: none of us had any concern in the prosecution of this business, nor any wishes upon the event of it; it was not our fault that the defendant was prosecuted for the libels upon which he has been convicted; I took no share in another place, in the measures which were taken to prosecute him for one of them; it was not our fault that he was convicted; it was not our fault that he fled; it was not our fault that he was outlawed; it was not our fault that he rendered himself up to justice; none of us revived the prosecution against him, nor could any one of us stop that prosecution when it was revived; it is not our fault if there are not any errors upon the record, nor is it in our power to create any if there are none; we are bound by our oath and in our consciences, to give such a judgment as the law will warrant, and as our reason can prove; such a judgment as we must stand or fall by, in the opinion of the present times, and of posterity; in doing it, therefore, we must have regard to our reputation as honest men, and men of skill and knowledge competent to the stations we hold; no considerations whatsoever should mislead us from this great object to which we ever ought, and I trust ever shall, direct our attention. But consequences of a public nature, reasons of state, political ones, have been strongly urged (private anonymous letters sent to me, I shall pass over), open avowed publications which have been judicially noticed, and may therefore be mentioned, have endeavoured to influence or intimidate the court, and so prevail upon us to trifle and prevaricate with God, our consciences, and the public: it has been intimated that consequences of a frightful nature will flow from the establishment of this outlawry; it is said the people expect the reversal, that the temper of the times demand it, that the multitude will have it so; that the continuation of the outlawry in full force, will not be endured; that the execution of the law upon the defendant will be resisted: these are arguments which will not weigh a feather with me. If insurrection and rebellion are to follow our determination, we have not to answer for the consequences, though we should be the innocent cause—we can only say, *Fiat justitia, ruat cœlum;* we shall discharge our duty without expectations of approbation, or the apprehensions of censure; if we are subjected to the latter unjustly, we must submit to it; we cannot prevent it, we will take care not to deserve it. He must be a weak man indeed who can be staggered by such a consideration.

'The misapprehension or the misrepresentation of the ignorant or the wicked, the *Mendax Infamia*, which is the consequence of both, are equally indifferent to, unworthy the attention of, and incapable of making any impression on, men of firmness and intrepidity.—Those who imagine judges are capable of being influenced by such unworthy, indirect means, most grossly deceive themselves; and for my own part I trust that my temper, and the colour and conduct of my life, have clothed me with a suit of armour to shield me from such arrows. If I have ever

crisis which courtiers affected to call alarming, you left the metropolis exposed for two nights together, to every species of riot and disorder. The security of the royal residence from insult was then sufficiently provided for in Mr Conway's firmness[1] and lord Weymouth's discretion; while the prime minister of Great Britain, in a rural retirement, and in the arms of faded beauty,[2] had lost all memory of his sovereign, his country, and himself. In these instances you might have acted with vigour, for you would have had the sanction of the laws to support you. The friends of government might have defended you without shame, and moderate men, who wish well to the peace and good order of society, might have had a pretence for applauding your conduct. But these it seems were not occasions worthy of your Grace's interposition. You reserved the proofs of your intrepid spirit for trials of greater hazard and importance; and now, as if the most disgraceful relaxation of the executive authority had given you a claim of credit to indulge in excesses still more dangerous, you seem determined to compensate amply for your former negligence; and to balance the non-execution of the laws with a breach of the constitution. From one extreme you suddenly start to the other, without leaving, between the weakness and the fury of the passions, one moment's interval for the firmness of the understanding.

These observations, general as they are, might easily be extended into a faithful history of your Grace's administration, and

supported the king's measures; if I have ever afforded any assistance to government; if I have discharged my duty as a public or private character, by endeavouring to preserve pure and perfect the principles of the constitution, maintaining unsullied the honour of the courts of justice, and by an upright administration of, to give a due effect to the laws. I have hitherto done it without any other gift or reward than that most pleasing and most honourable one, the conscientious conviction of doing what was right. I do not affect to scorn the opinion of mankind; I wish earnestly for popularity; I will seek and will have popularity: but I will tell you how I will obtain it: I will have that popularity which follows, and not that which is run after. It is not the applause of a day, it is not the huzzas of thousands, that can give a moment's satisfaction to a rational being; that man's mind must indeed be a weak one, and his ambition of a most depraved sort, who can be captivated by such wretched allurements, or satisfied with such momentary gratifications. I say with the Roman orator, and can say it with as much truth as he did, '*Ego hoc animo semper fui, ut invidiam virtute partam, gloriam non infamiam putarem:*' But the threats have been carried further; personal violence has been denounced, unless public humour be complied with: I do not fear such threats; I do not believe there is any reason to fear them; it is not the genius of the worst of men in the worst of times to proceed to such shocking extremities: but if such an event should happen, let it be so; even such an event might be productive of wholesome effects; such a stroke might rouse the better part of the nation from their lethargic condition to a state of activity, to assert and execute the law, and punish the daring and impious hands which had violated it; and those who now supinely behold the danger which threatens all liberty, from the most abandoned licentiousness, might, by such an event, be awakened to a sense of their situation, as drunken men are oftentimes stunned into sobriety. If the security of our persons and our property, of all we hold dear and valuable, are to depend upon the caprice of a giddy multitude, or to be at the disposal of a giddy mob; if, in compliance with the humours and to appease the clamours of those, all civil and political institutions are to be disregarded or overthrown, a life somewhat more than sixty is not worth preserving at such a price, and he can never die too soon, who lays down his life in support and vindication of the policy, the government, and the constitution of his country.'—EDIT.

[1] The Hon. Henry Seymour Conway was brother to lord Hertford, and father of the present Mrs Damer, who constitutes indeed his only issue. He had enjoyed several places of high rank and confidence at court during the beginning of his Majesty's reign. After the prorogation of parliament, in the year 1764, G. Grenville, then first lord of the Treasury and chancellor of the Exchequer, in conjunction with the duke of Bedford, lord president, took from him his regiment and dismissed him from his office as groom of the bedchamber to the king, in consequence of having voted in the Lower House, in opposition to government, upon the question of General Warrants. Mr Conway was made a secretary of state in the Rockingham administration of 1765, and retained that post till lord Chatham, who succeeded lord Rockingham, quitted office in Oct. 1768. Mr C. was a man of an independent mind, but often wavering in his opinion, and like his favourite cousin, Horace Walpole, much attached to literature and the fine arts.—EDIT.

[2] The duke of Grafton was, at that time, living with the celebrated Nancy Parsons, afterwards lady Maynard.—EDIT.

perhaps may be the employment of a future hour. But the business of the present moment will not suffer me to look back to a series of events, which cease to be interesting or important, because they are succeeded by a measure so singularly daring, that it excites all our attention, and engrosses all our resentment.

Your patronage of Mr Luttrell has been crowned with success.[1] With this precedent before you, with the principles on which it was established, and with a future House of Commons, perhaps less virtuous than the present, every county in England, under the auspices of the Treasury, may be represented as completely as the county of Middlesex. Posterity will be indebted to your Grace for not contenting yourself with a temporary expedient, but entailing upon them the immediate blessings of your administration. Boroughs were already too much at the mercy of government. Counties could neither be purchased nor intimidated. But their solemn determined election may be rejected, and the man they detest may be appointed, by another choice, to represent them in parliament. Yet it is admitted, that the sheriffs obeyed the laws and performed their duty.[2] The return they made must have been legal and valid, or undoubtedly they would have been censured for making it. With every good-natured allowance for your Grace's youth and inexperience, there are some things which you cannot but know. You cannot

[1] In the contest for the county of Middlesex, the House of Commons, on the 3rd of February, 1769, had proceeded to the severe step of expelling Mr Wilkes, for, among other offences, republishing, in the St James's Chronicle, lord Weymouth's letter to Mr Justice Ponton, one of the magistrates for Surry, with the ensuing prefatory remarks: 'I send you the following authentic state paper, the date of which, prior by more than three weeks to the fatal 10th of May, 1768, shows how long the horrid massacre in St George's Fields had been planned and determined upon, before it was carried into execution, and how long a hellish project can be brooded over by some infernal spirits, without one moment's remorse.' Mr Wilkes having admitted the publication, the House resolved, 'That John Wilkes, Esq., a member of this House, who hath, at the bar of this House, confessed himself to be the author and publisher of what this House has resolved to be an insolent, scandalous, and seditious libel; and who has been convicted in the Court of King's Bench, of having printed and published a seditious libel, and three obscene and impious libels; and, by the judgment of the said court, has been sentenced to undergo twenty-two months' imprisonment, and is now in execution under the said judgment, be expelled this House,' which was carried in the affirmative by 219 against 137. On the 16th of February, 1769, he was a second time returned for Middlesex without opposition. On the day following the election was vacated, and he was declared by a majority of the House, incapable of being elected into that parliament. Notwithstanding this resolution of the house, he was a third time, March 10, elected without opposition; for Dingley, as before observed, had not been able to obtain even a nomination. This election, however, was also declared void the next day. The great mass of Middlesex freeholders were in consequence thrown into a more violent commotion than ever, and insisted upon their right to return whomsoever they pleased, let parliament expel him as often as it pleased. Wilkes was a third time expelled: and to oppose him with a certainty of success, another device was now contrived, and under the promise that he should certainly be seated for the county in opposition to Wilkes, col. Luttrell was prevailed upon to relinquish the seat he then held, and to oppose him with all the force that could be mustered up on the occasion. With every possible effort exerted in his favour, however, Luttrell was incapable of obtaining more than two hundred and ninety-six votes, and Wilkes was again returned *almost* unanimously. The ministry were intimidated: but still resolved to carry their new device into effect. Wilkes was not now, therefore, to be openly re-expelled, but, which amounted to the same thing, to be declared incapable of sitting in parliament in consequence of his previous expulsion, and Luttrell was of course declared the sitting member. Yet, with an incongruity not often to be parallelled, the sheriffs, instead of being punished, were admitted to have done their duty, in allowing Wilkes to have become a candidate, and in returning him as fairly elected.

The nation at large now joined in the cause of the Middlesex freeholders; the parliament from exercising the unconstitutional act of rejecting one person who was a real member of its body, without an adequate cause, and in admitting another person to be a member who had never been returned by a majority of votes, was declared to have passed into a state of political incapacity, every vote and act of which must necessarily be incompetent and illegislative, and the throne was thronged with petitions and remonstrances from every part of the kingdom beseeching his Majesty to dissolve it.—EDIT.

[2] Sir Fletcher Norton, when it was proposed to punish the sheriffs, declared in the House of Commons, that they, in returning Mr Wilkes, had done no more than their duty.

but know that the right of the freeholders to adhere to their choice (even supposing it improperly exerted), was as clear and indisputable as that of the House of Commons to exclude one of their own members: —nor is it possible for you not to see the wide distance there is between the negative power of rejecting one man, and the positive power of appointing another. The right of expulsion, in the most favourable sense, is no more than the custom of parliament. The right of election is the very essence of the constitution. To violate that right, and much more to transfer it to any other set of men, is a step leading immediately to the dissolution of all government. So far forth as it operates, it constitutes a House of Commons which *does not* represent the people. A House of Commons so formed would involve a contradiction and the grossest confusion of ideas; but there are some ministers, my Lord, whose views can only be answered by reconciling absurdities, and making the same proposition, which is false and absurd in argument, true in fact.

This measure, my Lord, is however attended with one consequence favourable to the people, which I am persuaded you did not foresee.[1] While the contest lay between the ministry and Mr Wilkes, his situation and private character gave you advantages over him, which common candour, if not the memory of your former friendship, should have forbidden you to make use of. To religious men, you had an opportunity of exaggerating the irregularities of his past life;—to moderate men you held forth the pernicious consequences of faction. Men who, with this character, looked no farther than to the object before them, were not dissatisfied at seeing Mr Wilkes excluded from parliament. You have now taken care to shift the question; or, rather, you have created a new one, in which Mr Wilkes is no more concerned than any other English gentleman. You have united this country against you on one grand constitutional point, on the decision of which our existence as a free people absolutely depends. You have asserted, not in words but in fact, that representation in parliament does not depend upon the choice of the freeholders. If such a case can possibly happen once, it may happen frequently; it may happen always;—and if three hundred votes, by any mode of reasoning whatsoever, can prevail against twelve hundred, the same reasoning would equally have given Mr Luttrell his seat with ten votes, or even with one. The consequences of this attack upon the constitution are too plain and palpable not to alarm the dullest apprehension. I trust you will find that the people of England are neither deficient in spirit nor understanding, though you have treated them as if they had neither sense to feel nor spirit to resent. We have reason to thank God and our ancestors, that there never yet was a minister in this country who could stand the issue of such a conflict; and with every prejudice in favour of your intentions, I see no such abilities in your Grace, as should entitle you to succeed in an enterprise, in which the ablest and basest of your predecessors have found their destruction. You may continue to deceive your gracious master with false representations of the temper and condition of his subjects. You may command a venal vote, because it is the common established appendage of your office. But never hope that the freeholders will make a tame surrender of their rights, or that an English army will join with you in overturning the liberties of their country. They know that their first duty, as citizens, is paramount to all subsequent engagements, nor will they prefer the discipline, nor even the honours, of their profession, to those sacred original rights, which belonged to them before they were soldiers, and which they claim and possess as the birthright of Englishmen.

Return, my Lord, before it be too late, to that easy insipid system, which you first set out with. Take back your mistress;[2]

[1] The reader is desired to mark this prophecy.

[2] The duke, about this time, had separated himself from Ann Parsons, but proposed to continue united with her, on some platonic terms of

—the name of friend may be fatal to her, for it leads to treachery and persecution. Indulge the people. Attend Newmarket. Mr Luttrell may again vacate his seat; and Mr Wilkes, if not persecuted, will soon be forgotten. To be weak and inactive is safer than to be daring and criminal; and wide is the distance between a riot of the populace and a convulsion of the whole kingdom. You may live to make the experiment, but no honest man can wish you should survive it.

JUNIUS.

LETTER XII.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 30 *May*, 1769.

IF the measures in which you have been most successful, had been supported by any tolerable appearance of argument, I should have thought my time not ill employed, in continuing to examine your conduct as a minister, and stating it fairly to the public. But when I see questions, of the highest national importance, carried as they have been, and the first principles of the constitution openly violated, without argument or decency, I confess, I give up the cause in despair. The meanest of your predecessors had abilities sufficient to give a colour to their measures. If they invaded the rights of the people, they did not dare to offer a direct insult to their understanding; and, in former times, the most venal parliaments made it a condition, in their bargain with the minister, that he should furnish them with some plausible pretences for selling their country and themselves. You have had the merit of introducing a more compendious system of government and logic. You neither address yourself to the passions, nor to the understanding, but simply to the touch. You apply yourself immediately to the feelings of your friends, who, contrary to the forms of parliament, never enter heartily into a debate until they have divided.

Relinquishing, therefore, all idle views of amendment to your Grace, or of benefit to the public, let me be permitted to consider your character and conduct merely as a subject of curious speculation.—There is something in both, which distinguishes you not only from all other ministers, but all other men. It is not that you do wrong by design, but that you should never do right by mistake. It is not that your indolence and your activity have been equally misapplied, but that the first uniform principle, or, if I may so call it, the genius of your life, should have carried you through every possible change and contradiction of conduct, without the momentary imputation or colour of a virtue; and that the wildest spirit of inconsistency should never once have betrayed you into a wise or honourable action. This, I own, gives an air of singularity to your fortune, as well as to your disposition. Let us look back together to a scene, in which a mind like yours will find nothing to repent of. Let us try, my Lord, how well you have supported the various relations in which you stood, to your sovereign, your country, your friends, and yourself. Give us, if it be possible, some excuse to posterity, and to ourselves, for submitting to your administration. If not the abilities of a great minister, if not the integrity of a patriot, or the fidelity of a friend, show us, at least, the firmness of a man.—For the sake of your mistress, the lover shall be spared. I will not lead her into public, as you have done, nor will I insult the memory of departed beauty. Her sex, which alone made her amiable in your eyes, makes her respectable in mine.

The character of the reputed ancestors of some men, has made it possible for their descendants to be vicious in the extreme, without being degenerate. Those of your Grace, for instance, left no distressing examples of virtue, even to their legitimate posterity, and you may look back with pleasure to an illustrious pedigree, in which

friendship, which she rejected with contempt. His baseness to this woman is beyond description or belief.

heraldry has not left a single good quality upon record to insult or upbraid you.[1] You have better proofs of your descent, my Lord, than the register of a marriage, or any troublesome inheritance of reputation. There are some hereditary strokes of character, by which a family may be as clearly distinguished as by the blackest features of the human face. Charles the First lived and died a hypocrite. Charles the Second was a hypocrite of another sort, and should have died upon the same scaffold. At the distance of a century, we see their different characters happily revived, and blended in your Grace. Sullen and severe without religion, profligate without gaiety, you live like Charles the Second, without being an amiable companion, and, for aught I know, may die as his father did, without the reputation of a martyr.

You had already taken your degrees with credit in those schools, in which the English nobility are formed to virtue, when you were introduced to lord Chatham's protection.[2] From Newmarket, White's, and the Opposition, he gave you to the world with an air of popularity, which young men usually set out with, and seldom preserve:—grave and plausible enough to be thought fit for business, too young for treachery, and, in short, a patriot of no unpromising expectations. Lord Chatham was the earliest object of your political wonder and attachment.[3] Yet you deserted him, upon the first hopes that offered of an equal share of power with lord Rockingham. When the duke of Cumberland's first negotiation failed, and when the favourite was pushed to the last extremity, you saved him, by joining with an administration, in which lord Chatham had refused to engage. Still, however, he was your friend, and you are yet to explain to the world, why you consented to act without him, or why, after uniting with lord Rockingham, you deserted and betrayed him. You complained that no measures were taken to satisfy your patron, and that your friend, Mr Wilkes, who had suffered so much for the party, had been abandoned to his fate. They have since contributed, not a little, to your present plenitude of power; yet, I think, lord Chatham has less reason than ever to be satisfied; and as for Mr Wilkes, it is, perhaps, the greatest misfortune of his life, that you should have so many compensations to make in the closet for your former friendship with him. Your gracious master understands your character, and makes you a persecutor, because you have been a friend.

Lord Chatham formed his last administration upon principles which you certainly concurred in, or you could never have been placed at the head of the Treasury. By deserting those principles, and by acting in direct contradiction to them, in which he found you were secretly supported in the closet, you soon forced him to leave you to yourself, and to withdraw his name from

[1] The first duke of Grafton was a natural son of Charles II. During the progress of the revolution he abandoned the Stuarts for king William; and his descendants had hitherto generally ranked themselves among the party of the Whigs.—EDIT.

[2] To understand these passages, the reader is referred to a noted pamphlet, called the *History of the Minority*.

[3] The duke of Grafton was first introduced into the political world at an early period of life, under the auspices and protection of lord Chatham (then Mr Pitt) as a determined Whig. To the administration of lord Bute succeeded that of G. Grenville and the duke of Bedford, who soon became obnoxious to lord Bute, the guardian of his Majesty's non-age, and still his confidential adviser. The duke of Cumberland, uncle to the king, was deputed to propose another administration conjointly to Mr Pitt, lord Temple, and lord Lyttleton. They, however, objected to the undue influence of the noble favourite, and the proposal was declined. Lord Rockingham was now applied to, and prevailed upon to take the lead, and form an administration of his own: Mr Pitt refused to unite in it, but the duke of Grafton deserted him, and accepted the office of secretary of state. With this administration, however, he soon became chagrined and resigned his office. Lord Chatham again received him into communion; and in the ministry, shortly after planned and carried into effect by himself, in which he held the privy seal, he nominated the duke of Grafton first lord of the Treasury. At the head of this new system, however, lord Chatham did not long continue—he withdrew in disgust; but the noble duke, instead of following him, took the lead upon himself, and commenced an administration of his own.—EDIT.

an administration, which had been formed on the credit of it. You had then a prospect of friendships better suited to your genius, and more likely to fix your disposition. Marriage is the point on which every rake is stationary at last; and truly, my Lord, you may well be weary of the circuit you have taken, for you have now fairly travelled through every sign in the political zodiac, from the Scorpion, in which you stung lord Chatham, to the hopes of a Virgin[1] in the house of Bloomsbury. One would think that you had had sufficient experience of the frailty of nuptial engagements, or, at least, that such a friendship as the duke of Bedford's might have been secured to you by the auspicious marriage of your late duchess with[2] his nephew. But ties of this tender nature cannot be drawn too close; and it may possibly be a part of the duke of Bedford's ambition, after making *her* an honest woman, to work a miracle of the same sort upon your Grace. This worthy nobleman has long dealt in virtue. There has been a large consumption of it in his own family; and, in the way of traffic, I dare say, he has bought and sold more than half the representative integrity of the nation.

In a political view, this union is not imprudent. The favour of princes is a perishable commodity. You have now a strength sufficient to command the closet; and if it be necessary to betray one friendship more, you may set even lord Bute at defiance. Mr Stuart Mackenzie may possibly remember what use the duke of Bedford usually makes of his power;[3] and our gracious sovereign, I doubt not, rejoices at this first appearance of union among his servants. His late Majesty, under the happy influence of a family connexion between his ministers, was relieved from the cares of government. A more active prince may perhaps observe, with suspicion, by what degrees an artful servant grows upon his master, from the first unlimited professions of duty and attachment, to the painful representation of the necessity of the royal service, and soon, in regular progression, to the humble insolence of dictating in all the obsequious forms of peremptory submission. The interval is carefully employed in forming connexions, creating interests, collecting a party, and laying the foundation of double marriages;[4] until the deluded prince, who thought he had found a creature prostituted to his service, and insignificant enough to be always dependent upon his pleasure, finds him at last too strong to be commanded, and too formidable to be removed.

Your Grace's public conduct, as a minister, is but the counterpart of your private history;—the same inconsistency, the same contradictions. In America we trace you, from the first opposition to the Stamp Act,[5]

[1] His Grace had lately married Miss Wrottesley, niece of the *Good Gertrude, duchess of Bedford.*

[2] Miss Liddel, after her divorce from the duke, married lord Upper Ossory.

[3] Mr Stuart Mackenzie was brother to the earl of Bute. The duke of Bedford's abuse of power here referred to, is again noticed in JUNIUS, Letter XXXVI., and consisted in compelling his Majesty to displace Mr Mackenzie from the office of Lord Privy Seal of Scotland, shortly after his appointment, in favour of lord Frederick Campbell. In this act of coercion Mr Grenville bore an equal part with the noble duke. Upon the resignation of these ministers, Mr stuart Mackenzie was reinstated in his former post.—EDIT.

[4] See notes above.—EDIT.

[5] At the period here referred to, the American colonies had acquired such a population, and proportion of public wealth, as to render it necessary to enquire, more critically than had hitherto been done, into the peculiar mode of its political connexion with the mother country, and to bind it to the latter in a more definite bond. It was found that most of the provincial departments were chartered by the crown and expressly exempted from legislative taxation, but that others were not chartered in any way, and of course possessed no such privilege. From the capacity of their being now able to contribute to the exigencies of the state, from a desire to equalize the entire colonization, and from a professed belief that charters granted by the crown with such an exemption as above, displayed an undue stretch of the prerogative, it was determined upon, by Mr Grenville's administration, to bring the matter boldly to an issue, and for the legislature to claim an authority over the colonies by passing an act which should immediately affect them. The statute enacted for this purpose was the *Stamp Act,* which imposed a duty upon many of the articles most current

on principles of convenience, to Mr Pitt's surrender of the right; then forward to lord Rockingham's surrender of the fact; then back again to lord Rockingham's declaration of the right; then forward to taxation with Mr Townshend; and in the last instance, from the gentle Conway's undetermined discretion, to blood and compulsion with the duke of Bedford:[1] Yet if we may believe the simplicity of lord North's eloquence, at the opening of next sessions you are once more to be the patron of America. Is this the wisdom of a great minister? or is it the ominous vibration of a pendulum? Had you no opinion of your own, my Lord? or was it the gratification of betraying every party with which you have been united, and of deserting every political principle in which you had concurred?

Your enemies may turn their eyes without regret from this admirable system of provincial government. They will find gratification enough in the survey of your domestic and foreign policy.

If, instead of disowning lord Shelburne, the British court had interposed with dignity and firmness, you know, my Lord, that Corsica would never have been invaded.[2] The French saw the weakness of a distracted ministry, and were justified in treating you with contempt. They would probably have yielded in the first instance, rather than hazard a rupture with this country; but, being once engaged, they cannot retreat without dishonour. Common sense foresees consequences which have escaped your Grace's penetration. Either we suffer the French to make an acquisition, the importance of which you have probably no conception of, or we oppose them by an underhand management, which only disgraces us in the eyes of Europe, without answering any purpose of policy or prudence. From secret, indirect assistance, a transition to some more open decisive measures becomes unavoidable; till at last we find ourselves principals in the war, and are obliged to hazard every thing for an object which might have originally been obtained without expense or danger. I am not versed in the politics of the north; but this I believe is certain, that half the money you have distributed to carry the expulsion of Mr Wilkes, or even your secretary's share in the last subscription, would have kept the Turks at your devotion.[3] Was it

through the colonies. The colonies were thrown into a general commotion by this measure, the duty could not be collected, and almost every province became ripe for rebellion.

At home the members of opposition doubted, or affected to doubt, both the propriety and legality of the conduct of administration. Mr Pitt denied the *right*, the marquis of Rockingham admitted the right, but denied the *expediency;* while many politicians, perplexed by the sophistry advanced by the pleaders on all sides, vacillated in their opinion, and sometimes united with one party and sometimes with another. Of this last description was the duke of Grafton, who occasionally favoured Mr Pitt's opinion, occasionally the marquis of Rockingham's, and at last sided with Mr Charles Townshend in a determined resolution to carry the system of taxation into effect at all hazards.—EDIT.

[1] Mr Knox, in his 'Extra-official State Papers,' from which extracts have been made in notes to Miscellaneous Letters, Nos. XXXI. and LIII., narrates the following anecdote as having happened to himself on the repeal of the Stamp Act.

'The morning after the resolution passed in the House of Commons, to repeal the Stamp Act, and to bring in the declaratory bill, I was sent for to a meeting of the Opposition at Mr Rigby's in Parliament Street; when I came there, Mr Grenville and Mr Rigby came out to me, and told me, the duke of Bedford and several others desired to know my opinion of the effects which those resolutions would produce in America. My answer was in few words—*addresses of thanks and measures of rebellion.* Mr Grenville smiled and shook his head, and Mr Rigby swore by G—d he thought so, and both wished me a good morning.'—EDIT.

[2] Lord Shelburne, father to the present marquis of Lansdowne, while secretary of state, instructed our ambassador at the court of Versailles to remonstrate, in very spirited terms, on the intended invasion of Corsica by the French. His Lordship's conduct, however, was disavowed by his colleagues, and he resigned his situation, Oct. 21, 1768. But see note to Letter III., *ante*, p. 136.—EDIT.

[3] The Ottoman Porte was at this time in the hands of French influence; the court of Tuilleries supplying it with French officers, and instructing it, through their means, in modern tactics, so as to enable it to support more successfully the war in which it was engaged with Russia. The growing extent of French influence over the continent, might, in this instance perhaps, have easily been curtailed, by a little

economy, my Lord? or did the coy resistance you have constantly met with in the British senate, make you despair of corrupting the Divan? Your friends indeed have the first claim upon your bounty, but if five hundred pounds a year can be spared in pension to sir John Moore,[1] it would not have disgraced you to have allowed something to the secret service of the public.

You will say perhaps that the situation of affairs at home demanded and engrossed the whole of your attention. Here, I confess, you have been active. An amiable, accomplished Prince ascends the throne under the happiest of all auspices, the acclamations and united affections of his subjects. The first measures of his reign, and even the odium of a favourite, were not able to shake their attachment. *Your* services, my Lord, have been more successful. Since you were permitted to take the lead, we have seen the natural effects of a system of government at once both odious and contemptible. We have seen the laws sometimes scandalously relaxed, sometimes violently stretched beyond their tone. We have seen the sacred person of the sovereign insulted; and in profound peace, and with an undisputed title, the fidelity of his subjects brought by his own servants into public question.[2] Without abilities, resolution, or interest, you have done more than lord Bute could accomplish, with all Scotland at his heels.

Your Grace, little anxious perhaps either for present or future reputation, will not desire to be handed down in these colours to posterity. You have reason to flatter yourself that the memory of your administration will survive even the forms of a constitution, which our ancestors vainly hoped would be immortal; and as for your personal character, I will not, for the honour of human nature, suppose that you can wish to have it remembered. The condition of the present times is desperate indeed; but there is a debt due to those who come after us, and it is the historian's office to punish, though he cannot correct. I do not give you to posterity as a pattern to imitate, but as an example to deter; and as your conduct comprehends every thing that a wise or honest minister should avoid, I mean to make you a negative instruction to your successors for ever.

JUNIUS.

address,, and even transferred to the court of St James's.—EDIT.

[1] Sir John Moore was an old Newmarket acquaintance of his Grace's, where he succeeded in completely squandering away his private fortune. The duke of Grafton, out of compassion, obtained for him the pension in question.—EDIT.

[2] The wise duke, about this time, exerted all the influence of government to procure addresses to satisfy the king of the fidelity of his subjects. They came in very thick from *Scotland;* but, after the appearance of this letter, we heard no more of them.

[3] Miss Parsons had at this time surpassed the prime both of her youth and beauty.—AUTHOR. See this anecdote related more in detail in Miscellaneous Letters, No. XX.—EDIT.

LETTER XIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 12 *June*, 1769.

THE duke of Grafton's friends, not finding it convenient to enter into a contest with JUNIUS, are now reduced to the last melancholy resource of defeated argument, the flat general charge of scurrility and falsehood. As for his style, I shall leave it to the critics. The truth of his facts is of more importance to the public. They are of such a nature, that I think a bare contradiction will have no weight with any man, who judges for himself. Let us take them in the order in which they appear in his last letter.

1. Have not the first rights of the people and the first principles of the constitution been openly invaded, and the very name of an election made ridiculous, by the arbitrary appointment of Mr Luttrell?

2. Did not the duke of Grafton frequently lead his mistress into public, and even place her at the head of his table, as if he had pulled down an ancient[3] temple of Venus, and could bury all decency and shame under the ruins?—Is this the

man who dares to talk of Mr Wilkes's morals?

3. Is not the character of his presumptive ancestors as strongly marked in him, as if he had descended from them in a direct legitimate line? The idea of his death is only prophetic; and what is prophecy but a narrative preceding the fact?

4. Was not lord Chatham the first who raised him to the rank and post of a minister, and the first whom he abandoned?

5. Did he not join with lord Rockingham, and betray him?

6. Was he not the bosom friend of Mr Wilkes, whom he now pursues to destruction?

7. Did he not take his degrees with credit at Newmarket, White's, and the Opposition?

8. After deserting lord Chatham's principles, and sacrificing his friendship, is he not now closely united with a set of men, who, though they have occasionally joined with all parties, have in every different situation, and at all times, been equally and constantly detested by this country?

9. Has not sir John Moore a pension of five hundred pounds a year?—This may probably be an acquittance of favours upon the turf; but is it possible for a minister to offer a grosser outrage to a nation, which has so very lately cleared away the beggary of the civil list, at the expense of more than half a million?

10. Is there any one mode of thinking or acting with respect to America, which the duke of Grafton has not successively adopted and abandoned?

11. Is there not a singular mark of shame set upon this man, who has so little delicacy and feeling as to submit to the opprobrium of marrying a near relation of one who had debauched his wife?—In the name of decency, how are these amiable cousins to meet at their uncle's table?—It will be a scene in Œdipus, without the distress.—Is it wealth, or wit, or beauty,—or is the amorous youth in love?

The rest is notorious. That Corsica has been sacrificed to the French; that in some instances the laws have been scandalously relaxed, and in others daringly violated; and that the king's subjects have been called upon to assure him of their fidelity, in spite of the measures of his servants.

A writer, who builds his arguments upon facts such as these, is not easily to be confuted. He is not to be answered by general assertions, or general reproaches. He may want eloquence to amuse or persuade, but, speaking truth, he must always convince.

PHILO JUNIUS.

LETTER XIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 22 *June*, 1769.

THE name of *Old Noll* is destined to be the ruin of the house of Stuart. There is an ominous fatality in it, which even the spurious descendants of the family cannot escape. Oliver Cromwell had the merit of conducting Charles the first to the block. Your correspondent OLD NOLL [1] appears to have the same design upon the duke of Grafton. His arguments consist better with the title he has assumed, than with the principles he professes; for though he pretends to be an advocate for the duke, he takes care to give us the best reasons, why his patron should regularly follow the fate of his presumptive ancestor.—Through the whole course of the duke of Grafton's life, I see a strange endeavour to unite contradictions, which cannot be reconciled. He marries to be divorced;—he keeps a mistress to remind him of conjugal endearments, and he chuses such friends, as it is

[1] A correspondent under this signature replied to the preceding letter of *Philo Junius*, in the Public Advertiser, dated June 19; introducing his observations with the following paragraph.

'Though *Philo Junius* is, in every sense, unworthy of an answer as a writer; yet as he has compressed into small compass what he calls the facts advanced by JUNIUS, I will answer them briefly one by one, and for ever drop a subject that could only acquire consequence by discussing it in a serious manner.'—EDIT.

a virtue in him to desert. If it were possible for the genius of that accomplished president, who pronounced sentence upon Charles the First, to be revived in some modern sycophant,[1] his Grace, I doubt not, would, by sympathy, discover him among the dregs of mankind, and take him for a guide in those paths, which naturally conduct a minister to the scaffold.

The assertion that two-thirds of the nation approve of the *acceptance* of Mr Luttrell (for even *Old Noll* is too modest to call it an election) can neither be maintained nor confuted by argument. It is a point of fact, on which every English gentleman will determine for himself. As to lawyers, their profession is supported by the indiscriminate defence of right and wrong, and I confess I have not that opinion of their knowledge or integrity, to think it necessary that they should decide for me upon a plain constitutional question. With respect to the appointment of Mr Luttrell, the chancellor has never yet given any authentic opinion.[2] Sir Fletcher Norton[3] is indeed an honest, a very honest man; and the attorney-general[4] is *ex officio* the guardian of liberty, to take care, I presume, that it shall never break out into a criminal excess. Doctor Blackstone is solicitor to the queen. The Doctor recollected that he had a place to preserve, though he forgot that he had a reputation to lose. We have now the good fortune to understand the Doctor's principles, as well as his writings. For the defence of truth, of law, and reason, the Doctor's book may be safely consulted; but whoever wishes to cheat a neighbour of his estate,[5] or to rob a country of its rights,[6] need make no scruple of consulting the Doctor himself.

The example of the English nobility may, for aught I know, sufficiently justify the duke of Grafton, when he indulges his genius in all the fashionable excesses of the age; yet, considering his rank and station, I think it would do him more honour to be able to deny the fact, than to defend it by such authority. But if vice itself could be excused, there is yet a certain display of it, a certain outrage to decency, and violation of public decorum, which, for the benefit of society, should never be forgiven. It is not that he kept a mistress at home, but that he constantly attended her abroad.—It is not the private indulgence, but the public insult of which I complain. The name of Miss Parsons would hardly have been known, if the first lord of the Treasury had not led her in triumph through the Opera House, even in the presence of the queen.[7] When we see a man act in this manner, we may admit the shameless depravity of his heart, but what are we to think of his understanding?

His Grace, it seems, is now to be a regu-

[1] It is hardly necessary to remind the reader of the name of *Bradshaw*.—AUTHOR.

And as little so that Old Noll was the nickname of Oliver Cromwell. There is a peculiar severity in the comparison of the two periods and the two families. The duke of Grafton was descended from the Stuarts; and Bradshaw was the name of the president of the regicide court, which, under the secret influence of Oliver Cromwell (or Old Noll), condemned Charles the First to death. Bradshaw was the name of the duke of Grafton's private secretary at the present moment, and JUNIUS here insinuates that he was also the author of the letter signed Old Noll, which had a chance of proving as fatal to his Grace's cause, as ever the names of Bradshaw or Old Noll had proved fatal to his Grace's ancestor.

Bradshaw, before his present appointment, had been an under-clerk in the War-office, and was raised to the rank of private secretary, for his activity and despatch of business. In the month of May, 1772, he was appointed a lord of the Admiralty.

See further, p. 225, note.—EDIT.

[2] Lord Camden.—EDIT.

[3] At this time chief justice in Eyre, with a salary of £3000, and just appointed a privy counsellor.—EDIT.

[4] Mr De Grey, afterwards lord Walsingham.—EDIT.

[5] Doctor Blackstone had been, unfortunately for himself, an adviser of sir James Lowther against the duke of Portland, in the dispute concerning the Cumberland crown lands, upon the obsolete law of *nullum tempus*. See further, p. 300, note.—EDIT.

[6] Doctor Blackstone had also supported government in its rejection of Mr Wilkes, as member for the county of Middlesex. See Letter XVIII.; as also Miscellaneous Letters, No. LVI.—EDIT.

[7] See this transaction more fully detailed in Miscellaneous Letters, No. XX.—EDIT.

lar domestic man, and as an omen of the future delicacy and correctness of his conduct, he marries a first cousin of the man, who had fixed that mark and title of infamy upon him, which, at the same moment, makes a husband unhappy and ridiculous. The ties of consanguinity may possibly preserve him from the same fate a second time, and as to the distress of meeting, I take for granted the venerable uncle of these common cousins has settled the etiquette in such a manner, that, if a mistake should happen, it may reach no farther than from *Madame ma femme* to *Madame ma cousine*.

The duke of Grafton has always some excellent reason for deserting his friends.—The age and incapacity of lord Chatham ;[1] —the debility of lord Rockingham ;—or the infamy of Mr Wilkes. There was a time indeed when he did not appear to be quite so well acquainted, or so violently offended with the infirmities of his friends. But now I confess they are not ill exchanged for the youthful, vigorous virtue of the duke of Bedford ;—the firmness of general Conway ;[2]—the blunt, or if I may call it, the aukward integrity of Mr Rigby,[3] and the spotless morality of lord Sandwich.[4]

If a large pension to a broken gambler[5] be an act worthy of commendation, the duke of Grafton's connexions will furnish him with many opportunities of doing praiseworthy actions ; and as he himself bears no part of the expense, the generosity of distributing the public money for the support of virtuous families in distress, will be an unquestionable proof of his Grace's humanity.

As to public affairs, *Old Noll* is a little tender of descending to particulars. He does not deny that Corsica has been sacrificed to France, and he confesses, that with regard to America, his patron's measures have been subject to some variation ; but then he promises wonders of stability and firmness for the future. These are mysteries, of which we must not pretend to judge by experience ; and truly, I fear, we shall perish in the Desart, before we arrive at the Land of Promise. In the regular course of things, the period of the duke of Grafton's ministerial manhood should now be approaching. The imbecility of his infant state was committed to lord Chatham. Charles Townshend took some care of his education[6] at that ambiguous age, which lies between the follies of political childhood, and the vices of puberty. The empire of the passions soon succeeded. His earliest principles and connexions were of course forgotten or despised. The company he has lately kept has been of no service to his morals ; and, in the conduct of public affairs, we see the character of his time of life strongly distinguished. An obstinate ungovernable self-sufficiency plainly points out to us that state of imperfect maturity, at which the graceful levity of youth is lost, and the solidity of experience not yet acquired. It is possible the young man may in time grow wiser, and reform ; but, if I understand his disposition, it is not of such corrigible stuff,

[1] Lord Chatham, it is well known, laboured under a premature decrepitude of body, from frequent and violent attacks of the gout ; but his mind was never affected by such paroxysms.—EDIT.

[2] See his character in Letter XI., p. 155, note.—EDIT.

[3] Mr Rigby was introduced into political life by the duke of Bedford, to whom he had chiefly recommended himself by his convivial talents. He at length attained the lucrative post of paymaster of the British forces. His pretensions to *integrity* are well known even to the present moment to have been rather *aukward*.—EDIT.

[4] It was lord Sandwich, who, in conjunction with Dr Warburton, complained to the House of Lords, of Wilkes's Essay on Woman, and induced their lordships' interference ; in consequence of which, the writer was prosecuted by the crown. The irony of the expression here adopted, proceeds from the well-known fact that lord Sandwich was at this very time the most profligate and blasphemous of all the Bedford party.—EDIT.

[5] Sir John Moore.

[6] Charles Townshend, younger brother of the first marquis Townshend, who had been inducted into political life under the banners of the first lord Holland, drew up the plan for taxing America, which the duke of Grafton was persuaded to adopt, and thus avowed himself to be, in this instance, a pupil of Charles Townshend, who was chancellor of the exchequer at the period here referred to, in which office he died, and was succeeded by lord North in 1767.—EDIT.

that we should hope for any amendment in him, before he has accomplished the destruction of this country. Like other rakes, he may perhaps live to see his error, but not until he has ruined his estate.

PHILO JUNIUS.

LETTER XV.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 8 *July*, 1769.

IF nature had given you an understanding qualified to keep pace with the wishes and principles of your heart, she would have made you, perhaps, the most formidable minister that ever was employed, under a limited monarch, to accomplish the ruin of a free people. When neither the feelings of shame, the reproaches of conscience, nor the dread of punishment, form any bar to the designs of a minister, the people would have too much reason to lament their condition, if they did not find some resource in the weakness of his understanding. We owe it to the bounty of Providence, that the completest depravity of the heart is sometimes strangely united with a confusion of the mind, which counteracts the most favourite principles, and makes the same man treacherous without art, and a hypocrite without deceiving. The measures, for instance, in which your Grace's activity has been chiefly exerted, as they were adopted without skill, should have been conducted with more than common dexterity. But truly, my Lord, the execution has been as gross as the design. By one decisive step, you have defeated all the arts of writing. You have fairly confounded the intrigues of opposition, and silenced the clamours of faction. A dark, ambiguous system, might require and furnish the materials of ingenious illustration; and, in doubtful measures, the virulent exaggeration of party must be employed, to rouse and engage the passions of the people. You have now brought the merits of your administration to an issue, on which every Englishman, of the narrowest capacity, may determine for himself. It is not an alarm to the passions, but a calm appeal to the judgment of the people, upon their own most essential interests. A more experienced minister would not have hazarded a direct invasion of the first principles of the constitution, before he had made some progress in subduing the spirit of the people. With such a cause as yours, my Lord, it is not sufficient that you have the court at your devotion, unless you can find means to corrupt or intimidate the jury. The collective body of the people form that jury, and from *their* decision there is but one appeal.

Whether you have talents to support you, at a crisis of such difficulty and danger, should long since have been considered. Judging truly of your disposition, you have perhaps mistaken the extent of your capacity. Good faith and folly have so long been received for synonymous terms, that the reverse of the proposition has grown into credit, and every villain fancies himself a man of abilities. It is the apprehension of your friends, my Lord, that you have drawn some hasty conclusion of this sort, and that a partial reliance upon your moral character has betrayed you beyond the depth of your understanding. You have now carried things too far to retreat. You have plainly declared to the people what they are to expect from the continuance of your administration. It is time for your Grace to consider what you also may expect in return from *their* spirit and *their* resentment.

Since the accession of our most gracious sovereign to the throne, we have seen a system of government, which may well be called a reign of experiments. Parties of all denominations have been employed and dismissed. The advice of the ablest men in this country has been repeatedly called for and rejected; and when the Royal displeasure has been signified to a minister, the marks of it have usually been proportioned to his abilities and integrity. The spirit of the FAVOURITE had some apparent influence upon every administration; and

every set of ministers preserved an appearance of duration, as long as they submitted to that influence. But there were certain services to be performed for the Favourite's security, or to gratify his resentments, which your predecessors in office had the wisdom or the virtue not to undertake. The moment this refractory spirit was discovered, their disgrace was determined. Lord Chatham, Mr. Grenville, and lord Rockingham have successively had the honour to be dismissed, for preferring their duty as servants of the public, to those compliances which were expected from their station. A submissive administration was at last gradually collected from the deserters of all parties, interests, and connexions: and nothing remained but to find a leader for these gallant well-disciplined troops. Stand forth, my Lord, for thou art the man. Lord Bute found no resource of dependence or security in the proud imposing superiority of lord Chatham's abilities, the shrewd inflexible judgment of Mr Grenville,[1] nor in the mild but determined integrity of lord Rockingham. His views and situation required a creature void of all these properties; and he was forced to go through every division, resolution, composition, and refinement of political chemistry, before he happily arrived at the *caput mortuum* of vitriol in your Grace. Flat and insipid in your retired state, but brought into action, you become vitriol again. Such are the extremes of alternate indolence or fury, which have governed your whole administration. Your circumstances with regard to the people soon becoming desperate, like other honest servants, you determined to involve the best of masters in the same difficulties with yourself. We owe it to your Grace's well-directed labours, that your sovereign has been persuaded to doubt of the affections of his subjects, and the people to suspect the virtues of their sovereign, at a time when both were unquestionable. You have degraded the royal dignity into a base, dishonourable competition with Mr Wilkes, nor had you abilities to carry even this last contemptible triumph over a private man, without the grossest violation of the fundamental laws of the constitution and rights of the people. But these are rights, my lord, which you can no more annihilate, than you can the soil to which they are annexed. The question no longer turns upon points of national honour and security abroad, or on the degrees of expedience and propriety of measures at home. It was not inconsistent that you should abandon the cause of liberty in another country,[2] which you had persecuted in your own; and in the common arts of domestic corruption, we miss no part of sir Robert Walpole's system[3] except his abilities. In this humble imitative line, you might long have proceeded, safe and contemptible. You might, probably, never have risen to the dignity of being hated, and even have been despised with moderation. But it seems you meant to be distinguished, and, to a mind like yours, there was no other road to fame but by the destruction of a noble fabric, which you thought had been too long the admiration of mankind. The use you have made of the military force introduced an alarming change in the mode of executing the laws. The arbitrary appointment of Mr Luttrell invades the foundation of the laws themselves, as it manifestly transfers the right of legislation from those whom the people have chosen, to those whom they have rejected. With a succession of such

[1] Mr G. Grenville, younger brother of lord Temple, and brother-in-law to lord Chatham, was a political élève of his maternal uncle lord Cobham. He first attached himself to the Tory party, in consequence of marrying the daughter of sir W. Wyndham, the confidential friend of Bolingbroke, and father of lord Egremont; and was made one of the secretaries of state, when lord Bute in 1762 was appointed first lord of the Treasury. He planned the American Stamp Act, and commenced the opposition to Wilkes. He afterwards, however, became disgusted with lord Bute, and, upon his resignation, firmly attached himself to the party of lord Rockingham; the most pure and unmixt Whig leader of his day, with whom also lord Temple and the earl of Chatham had now united themselves. See further, pages 000 and 196.—EDIT.

[2] Corsica.—EDIT.

[3] See note to Letter XVI., p. 170 —EDIT.

appointments, we may soon see a House of Commons collected, in the choice of which the other towns and counties of England will have as little share as the devoted county of Middlesex.

Yet, I trust, your Grace will find that the people of this country are neither to be intimidated by violent measures, nor deceived by refinements. When they see Mr Luttrell seated in the House of Commons by mere dint of power, and in direct opposition to the choice of a whole county, they will not listen to those subtleties, by which every arbitrary exertion of authority is explained into the law and privilege of parliament. It requires no persuasion of argument, but simply the evidence of the senses, to convince them, that to transfer the right of election from the collective to the representative body of the people, contradicts all those ideas of a House of Commons, which they have received from their forefathers, and which they have already, though vainly perhaps, delivered to their children. The principles, on which this violent measure has been defended, have added scorn to injury, and forced us to feel, that we are not only oppressed, but insulted.

With what force, my Lord, with what protection are you prepared to meet the united detestation of the people of England? The city of London has given a generous example to the kingdom, in what manner a king of this country ought to be addressed;[1] and I fancy, my Lord, it is not yet in your courage to stand between your sovereign and the addresses of his subjects. The injuries you have done this country are such as demand not only redress, but vengeance. In vain shall you look for protection to that venal vote, which you have already paid for—another must be purchased; and to save a minister, the House of Commons must declare themselves not only independent of their constituents, but the determined enemies of the constitution. Consider, my Lord, whether this be an extremity to which their fears will permit them to advance; or, if *their* protection should fail you, how far you are authorized to rely upon the sincerity of those smiles, which a pious court lavishes without reluctance upon a libertine by profession. It is not, indeed, the least of the thousand contradictions which attend you, that a man, marked to the world by the grossest violation of all ceremony and decorum, should be the first servant of a court, in which prayers are morality, and kneeling is religion. Trust not too far to appearances, by which your predecessors have been deceived, though they have not been injured. Even the best of princes may at last discover, that this is a contention, in which everything may be lost, but nothing can be gained; and as you became minister by accident, were adopted without choice, trusted without confidence, and continued without favour, be assured that, whenever an occasion presses, you will be discarded without even the forms of regret. You will then have reason to be thankful, if you are permitted to retire to that seat of learning, which in contemplation of the system of your life, the comparative purity of your manners with those of their high steward, and a thousand other recommending circumstances, has chosen you to encourage the growing virtue of their youth, and to preside over their education.[2] Whenever the spirit of distributing prebends and bishoprics shall have departed from you, you will find that learned seminary perfectly recovered from the delirium of an installation, and, what in truth it ought to be, once more a peaceful scene of slumber and thoughtless meditation. The venerable tutors of the university will no longer distress your modesty, by proposing you for a pattern to their pupils. The learned dulness of declamation will be silent;[3] and

[1] See this subject farther noticed in Letter XXXVII.

[2] The duke of Grafton was chancellor, and lord Sandwich high steward, of the university of Cambridge.—Edit.

[3] Dr Hinchliffe, afterwards bishop of Peterborough, in his official situation as Vice-Chancellor of Cambridge, made an oration in praise of the duke of Grafton, on introducing him to the Senate-house, on the morning of his installa-

even the venal muse,[1] though happiest in fiction, will forget your virtues. Yet, for the benefit of the succeeding age, I could wish that your retreat might be deferred, until your morals shall happily be ripened to that maturity of corruption, at which the worst examples cease to be contagious.

JUNIUS.

LETTER XVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *July*, 1769.

A GREAT deal of useless argument might have been saved, in the political contest which has arisen upon the expulsion of Mr Wilkes, and the subsequent appointment of Mr Luttrell, if the question had been once stated with precision, to the satisfaction of each party, and clearly understood by them both. But in this, as in almost every other dispute, it usually happens that much time is lost in referring to a multitude of cases and precedents, which prove nothing to the purpose, or in maintaining propositions, which are either not disputed, or, whether they be admitted or denied, are entirely indifferent as to the matter in debate; until at last the mind, perplexed and confounded with the endless subtleties of controversy, loses sight of the main question, and never arrives at truth. Both parties in the dispute are apt enough to practise these dishonest artifices. The man, who is conscious of the weakness of his cause, is interested in concealing it: and, on the other side, it is not uncommon to see a good cause mangled by advocates, who do not know the real strength of it.

I should be glad to know, for instance, to what purpose, in the present case, so many precedents have been produced to prove, that the House of Commons have a right to expel one of their own members; that it belongs to them to judge of the validity of elections; or that the law of parliament is part of the law of the land?[2] After all these propositions are admitted, Mr Luttrell's right to his seat will continue to be just as disputable as it was before. Not one of them is at present in agitation. Let it be admitted that the House of Commons were authorized to expel Mr Wilkes; that they are the proper court to judge of elections, and that the law of parliament is binding upon the people; still it remains to be enquired whether the House, by their resolution in favour of Mr Luttrell, have, or have not, truly declared that law. To facilitate this enquiry, I would have the question cleared of all foreign or indifferent matter. The following state of it will probably be thought a fair one by both parties; and then, I imagine, there is no gentleman in this country, who will not be capable of forming a judicious and true opinion upon it. I take the question to be strictly this: 'Whether or no it be the known, established law of parliament, that the expulsion of a member of the House of Commons of itself creates in him such an incapacity to be re-elected, that, at a subsequent election, any votes given to him are null and void, and that any other candidate, who, except the person expelled, has the greatest number of votes, ought to be the sitting member.'

To prove that the affirmative is the law of parliament, I apprehend it is not sufficient for the present House of Commons to declare it to be so. We may shut our eyes indeed to the dangerous consequences of suffering one branch of the legislature to declare new laws, without argument or example, and it may perhaps be prudent enough to submit to authority; but a mere assertion will never convince, much less will it be thought reasonable to 'prove the

tion to the chancellorship of that university.—EDIT.

[1] He alludes to Gray's celebrated Ode to Music, composed and performed on the installation of his Grace as chancellor of the university; beginning,

Hence! avaunt! 'tis holy ground—
Comus and his midnight crew, &c.—EDIT.

[2] The reader will observe that these admissions are made, not as of truths unquestionable, but for the sake of argument, and in order to bring the real question to issue.

right by the fact itself. The ministry have not yet pretended to such a tyranny over our minds. To support the affirmative fairly, it will either be necessary to produce some statute, in which that positive provision shall have been made, that specific disability clearly created, and the consequences of it declared; or, if there be no such statute, the custom of parliament must then be referred to, and some case or cases,[1] strictly in point, must be produced, with the decision of the court upon them; for I readily admit that the custom of parliament, once clearly proved, is equally binding with the common and statute law.

The consideration of what may be reasonable or unreasonable makes no part of this question. We are enquiring what the law is, not what it ought to be. Reason may be applied to show the impropriety or expedience of a law, but we must have either statute or precedent to prove the existence of it. At the same time I do not mean to admit that the late resolution of the House of Commons is defensible on general principles of reason, any more than in law. This is not the hinge on which the debate turns.

Supposing, therefore, that I have laid down an accurate state of the question, I will venture to affirm, 1st, That there is no statute existing, by which that specific disability, which we speak of, is created. If there be, let it be produced. The argument will then be at an end.

2ndly, That there is no precedent in all the proceedings of the House of Commons which comes entirely home to the present case, viz. 'where an expelled member has been returned again, and another candidate, with an inferior number of votes, has been declared the sitting member.' If there be such a precedent, let it be given to us plainly, and I am sure it will have more weight than all the cunning arguments which have been drawn from inferences and probabilities.

The ministry, in that laborious pamphlet, which, I presume, contains the whole strength of the party, have declared,[2] 'That Mr Walpole's[3] was the first and only instance, in which the electors of any county or borough had returned a person expelled to serve in the same parliament.' It is not possible to conceive a case more exactly in point. Mr Walpole was expelled, and having a majority of votes at the next election, was returned again. The friends of Mr Taylor, a candidate set up by the ministry, petitioned the House that he might be the sitting member.[4] Thus far the cir-

[1] Precedents, in opposition to principles, have little weight with JUNIUS; but he thought it necessary to meet the ministry upon their own ground.

[2] *Case of the Middlesex Election considered*, page 38.

[3] This fact occurred while Mr Walpole was in an inferior capacity to that in which he afterwards appeared so conspicuously as prime minister of George I. and George II. At the period in question, the Tories having obtained a majority in parliament, expelled him for the crime of having accepted profits upon a military contract, while secretary at war, and at the same time possessed influence enough to have him committed to the Tower. He was member for Lynn Regis, the burgesses of which borough were warmly attached to him. It was for this borough he had been returned at an early period of his life; by which he was enabled, while a young politician, to head the Whig party against St John, afterwards lord Bolingbroke, who took a leading part in the Tory administration of Harley. From the disgrace into which he was hereby for a long time plunged, he was at length relieved by the failure of the minister's favourite expedient of the South Sea incorporation, and the extreme unpopularity in which he was consequently involved. Walpole now triumphed upon the ruin of his rival; became prime minister, retained the post through the whole of the existing and part of the next reign, and for his services was created earl of Orford.—EDIT.

[4] The following are the particulars of this case, as extracted from the journals of the House of Commons:

'On the 23 of February 1711, a petition of the freemen and free-burghers of the borough of King's Lynn, in the county of Norfolk, was presented to the House, and read; setting forth, that Monday the eleventh of February last, being appointed for chusing a member to serve in parliament for this borough, in the room of Robert Walpole, Esq., expelled this House, Samuel Taylor, Esq. *was elected their* burgess; but John Bagg, present mayor of the said borough, *refused to return the said Samuel Taylor, though required so to do;* and returned the said Robert Walpole, though expelled this

cumstances tally exactly, except that our House of Commons saved Mr Luttrell the trouble of petitioning. The point of law however was the same. It came regularly before the House, and it was their business to determine upon it. They did determine it, for they declared Mr Taylor *not duly elected*. If it be said that they meant this resolution as matter of favour and indulgence to the borough, which had retorted Mr Walpole upon them, in order that the burgesses, knowing what the law was, might correct their error, I answer,

I. That it is a strange way of arguing, to oppose a supposition, which no man can prove, to a fact which proves itself.

II. That if this were the intention of the House of Commons, it must have defeated itself. The burgesses of Lynn could never have known their error, much less could they have corrected it, by any instruction they received from the proceedings of the House of Commons. They might perhaps have foreseen, that, if they returned Mr Walpole again, he would again be rejected; but they never could infer, from a resolution by which the candidate with the fewest votes was declared *not duly elected*, that, at a future election, and in similar circumstances, the House of Commons would reverse their resolution, and receive the same candidate as duly elected, whom they had before rejected.

This indeed would have been a most extraordinary way of declaring the law of parliament, and what I presume no man, whose understanding is not at cross-purposes with itself, could possibly understand.

If, in a case of this importance, I thought myself at liberty to argue from suppositions rather than from facts, I think the probability, in this instance, is directly the reverse of what the ministry affirm; and that it is much more likely that the House of Commons at that time would rather have strained a point in favour of Mr Taylor, than that they would have violated the law of parliament, and robbed Mr Taylor of a right legally vested in him, to gratify a refractory borough, which, in defiance of them, had returned a person branded with the strongest mark of the displeasure of the House.

But really, Sir, this way of talking, for I cannot call it argument, is a mockery of the common understanding of the nation, too gross to be endured. Our dearest interests are at stake. An attempt has been made, not merely to rob a single county of its rights, but, by inevitable consequence, to alter the constitution of the House of Commons. This fatal attempt has succeeded, and stands as a precedent, recorded for ever.[1] If the ministry are unable to defend their cause by fair argument, founded on facts, let them spare us at least the mortification of being amused and deluded like children. I believe there is yet a spirit of resistance in this country, which will not submit to be oppressed; but I am sure there is a fund of good sense in this country, which cannot be deceived.

JUNIUS.

House, and then a prisoner in the Tower, and praying the consideration of the House.

'March 6th. The order of the day being read of taking into consideration the merits of the petition of the freemen and free-burghers of the borough of King's Lynn in the county of Norfolk, and a motion being made that council be called in, upon a division, it was resolved in the negative. Tellers for the yeas sir Charles Turner, Mr Pulteney, 127. Tellers for the noes, Sir Simeon Stuart, Mr Foster, 212.—A motion being made, and the question put, that Robert Walpole, Esq., having been this session of parliament committed a prisoner to the Tower of London, and expelled this House for an high breach of trust in the execution of his office, and notorious corruption, when secretary at war, was, and is, incapable of being elected a member to serve in this present parliament, it was resolved, upon a division, in the affirmative. Then a motion being made, and the question put, that Samuel Taylor, Esq. is duly elected a burgess to serve in the present parliament for the borough of King's Lynn in the county of Norfolk, it passed in the negative. Resolved, that the late election of a burgess to serve in the present parliament for the said borough of King's Lynn, in the county of Norfolk, is a void election.'—EDIT.

[1] See the Editor's note to Letter XLVI., in which the reader will find a particular account of the steps taken by Mr Wilkes to procure the erasure of these proceedings from the journals of the House of Commons.—EDIT.

LETTER XVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 1 *August*, 1769.

IT will not be necessary for JUNIUS to take the trouble of answering your correspondent G. A., or the quotation from a speech without-doors, published in your paper of the 28th of last month.[1] The

[1] It seems but fair that the reader should be put into possession of both the papers which it is the object of the present letter to oppose; but more especially the latter, which was written by Dr Blackstone, and a passage from another part of which JUNIUS, *post*, p. 187, contrasts with one from the Commentaries. The Editor has therefore extracted them from the journal referred to.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

I HAVE perused, with all due attention, the letter of JUNIUS, inserted in your paper of the 19th inst. I perfectly agree with him, that a great deal of useless argument might have been saved in the political contest which has arisen upon the expulsion of Mr Wilkes, and the subsequent appointment of Mr Luttrell, if the question had been once stated with precision to the satisfaction of each party. Yet after all the ingenious pains JUNIUS has taken, I much doubt whether the question, as he has thought fit to state it, will at all satisfy more than one party. The question, as he has given it, is, 'Whether or no it be the known established law of parliament, that the expulsion of a member of the House of Commons, of itself creates in him such an incapacity of being re-elected, that at a subsequent election, any votes given to him are null and void, and that any other candidate who, except the person expelled, has the greatest number of votes, ought to be the sitting member?' JUNIUS having thus formed his question, entertains the reader with a few spirited flourishes, not perhaps directly *ad rem*; and then asserts, what probably the party he opposes will not deny, viz. 'That to support the affirmative fairly, it will either be necessary to produce some statute, in which that positive provision shall have been made, that specific disability clearly created, and the consequences of it declared; or if there be no such statute, the custom of parliament must then be referred to, and some case, or cases, strictly in point, must be produced, with the decision of the court upon them.' Suppose, for argument's sake, that no such statute, no such custom of parliament, no such case in point can be produced, does it therefore follow that the determination of the House of Commons, in regard to Mr Wilkes and Mr Luttrell, was wrong? Have not the members of the present House as good a right to establish a precedent, as the members of any antecedent House ever had? JUNIUS admits a right in the House to expel. But was there not a time prior to all expulsion? and was the first expulsion therefore wrong? Was there not a time prior to every other precedent in the journals of the House? But was every such, or any such, precedent therefore wrong? Are things wrong merely because they were never done before? Or do wrong things become right by mere dint of repetition? Should JUNIUS think fit to answer these questions, I may be induced perhaps to enlarge upon the subject.

I am, Sir,

Your humble servant,

July 26. G. A.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *July* 28, 1769.

IN answer to the arguments and observations of your correspondent JUNIUS (relating to the vote of the 9th of May, in favour of colonel Luttrell) I send you the following extract from a pamphlet just published, which please to insert as soon as you can, and thereby oblige,

AN OLD CORRESPONDENT.

A speech without-doors upon the subject of a vote given on the 9th day of May, 1769.

'Your question I will answer, having first premised, that if you are satisfied we did right in setting aside Mr Wilkes's election, I cannot believe it will be a very difficult task to convince you that the admitting of Mr Luttrell was the unavoidable consequence. "No (say you); for surely you might have declared it a void election. Why go greater lengths than in former times, even the most heated and violent, it was ever thought proper to go? Or upon what ground, either of reason or authority, can you justify the vote you gave, that Mr Luttrell, who, certainly had not the majority, was duly elected?" The question you have a right to put to me, and I mean to give it a direct answer.

'Now the principle upon which I voted was this, that in all cases of election by a majority of votes, wherever the candidate for whom the most votes are given, appears to have been, at the time of the election, under a *known legal incapacity*, the person who had the next greatest number of votes ought to be considered as the person duly elected. And this, as a general principle, I take to be altogether uncontrovertible. We may differ in our ways of expressing the principle, or of explaining the grounds of it: some chusing to state it, that the electors voting for such incapable person, do for that time forfeit their right of voting; others, that their votes are thrown away; and others, that votes for a person not legally capable, are not legal votes. But in whatever way we assign the ground of the rule, the result and conclusion is still the same, that, in every such case, the election of the capable person by the inferior number of votes, is a good and valid election.

'Nor is this rule, founded as it is in sound sense and public necessity, to be put out of countenance by a little ingenious sophistry, play-

speech appeared before JUNIUS's letter, and as the author seems to consider the great proposition, on which all his argument depends, viz. *that Mr Wilkes was under that known legal incapacity, of which* JUNIUS *speaks*, as a point granted, his

ing upon the ambiguity of certain undefined terms, taunting us with the reproach of elections by a minority, of inverting the rules of arithmetic, and the like. Not even the sacredness of the rights of the electors can stand against its authority; for sacred as those rights ought ever to be held, the exercise of them, as well as of all the other rights of individuals, must ever be confined within such bounds, and governed by such rules, as are consistent with the attainment of the great public ends for which they were established. But could any thing be more preposterous than if, while you are securing to individuals the right they have to take part in determining who shall be appointed to discharge the several public offices and trusts, no care should be taken that the public, in all events, may be secure of having any persons appointed at all? Yet to this inconvenience the public must be perpetually exposed, if the rule were to be strictly and invariably followed, that nothing but a majority of the electors could ever make a good election. That a majority of the whole number entitled to have voice in the election, is not necessary, will be readily admitted; for at that rate, the absence of one half of the electors might defeat the possibility of any election at all. Neither is it necessary, in order to a candidate's being duly elected, that he should have the votes of more than one half of the electors present; since, if it were, diversity of inclinations among the electors, and the putting up of three candidates, might as completely frustrate all possibility of supplying the vacancy, as the absence of one half of the electors would in the former case. Accordingly, therefore, we constantly see, that wherever there are more than two candidates for one vacancy, the election is determined, not so properly by a majority, as by a plurality of voices; and the candidate who has more voices than any one of his competitors, although fewer than one half of the electors present, is always determined to be well and duly elected; there being, indeed, no other method allowed by the constitution, of voting against one candidate, but by voting for another; nor any liberty of declaring whom I would prefer in the second place, in case my first vote should prove ineffectual; either of which allowances might prevent any election being made.

'Thus far then we are guarded against the public service being disappointed, either by the remissness of the electors in absenting themselves from the election, or by such a diversity of opinions among the electors present, as, though innocent in itself, would yet be of fatal consequence to the public, should it be suffered to operate so far as to prevent any effectual election from taking place. But much in vain have these rules been established, if it is still to be in the power of the same number of electors, by a little management, to effect the same purpose, and put an effectual bar to all possibility of a valid election. Had they, by staying away, declared that they would take no part in supplying the vacancy, their fellow-electors, who chose to exercise their franchise, and upon whom, in that case, the complete right would have devolved, might have exercised their right accordingly, and the public service would have been provided for. But shall they be allowed to come, and by declaring that they will vote against one candidate, but for no other, or by voting for a person whom they know to be incapable of holding the office, as truly, to all intents and purposes, deprive their fellows of their right, and the public of its due, as if, instead of coming, they had only sent a prohibition of proceeding to any election till it should be their good pleasure to suffer one? Against such a mockery of the public authority common sense reclaims; and has, therefore, provided against this abuse, by pointing out this farther qualification of the rule by which elections are to be decided. That, as the electors who give no vote at all, have no power of excluding any candidate for whom other electors do vote, so those who give their votes for a person whom they know to be by law incapable, are to be considered exactly on the same footing as if they gave no votes at all? Not to give any vote, to declare I vote for nobody, or to vote for the Great Mogul, must undoubtedly have the same effect.

'Thus then it appeared to me, that the general rule, that in case of a *known legal incapacity* in the person having the majority of voices, the capable person next upon the poll, although chosen by a minority, is duly elected, is consonant to reason, is the dictate of common sense.

'That it had also the sanction of authority, I was as clearly convinced. The practice of the courts of law, in such cases, seems not to be disputed; they have, by repeated decisions, established the principle.

'Upon these grounds, therefore, both of reason and authority, I not only thought myself fully justified in giving my vote, that Mr Luttrell was duly elected, but in truth I could not think myself at liberty to vote otherwise, being convinced, that as, on the one hand, by so voting I should do no wrong to the 1143 freeholders of Middlesex, who, for the chance of being able to overbear the authority of the House of Commons, which had adjudged Mr Wilkes to be incapable, had chosen to forego their right of taking part in the nomination of a capable person in his room; so, by a contrary decision, I should have done a most manifest injustice to Mr Luttrell, and to the 296 freeholders who voted for him; and who in failure of a nomination by an equal number of freeholders of any other capable candidate, had, upon every principle of reason, and every rule of law, as well as according to the uniform usage of parliament, conferred upon him a clear title to sit as one of the representatives for the county of Middlesex.'—EDIT.

speech is, in no shape, an answer to JUNIUS, for this is the very question in debate.

As to G. A., I observe first, that if he did not admit of JUNIUS's state of the question, he should have shown the fallacy of it, or given us a more exact one;—secondly, that considering the many hours and days, which the ministry and their advocates have wasted, in public debate, in compiling large quartos, and collecting innumerable precedents, expressly to prove that the late proceedings of the House of Commons are warranted by the law, custom, and practice of parliament, it is rather an extraordinary supposition, to be made by one of their own party, even for the sake of argument, *that no such statute, no such custom of parliament, no such case in point, can be produced.* G. A. may however make the supposition with safety. It contains nothing, but literally the fact, except that there is a case exactly in point, with a decision of the House, diametrically opposite to that which the present House of Commons came to in favour of Mr Luttrell.

The ministry now begin to be ashamed of the weakness of their cause, and, as it usually happens with falsehood, are driven to the necessity of shifting their ground, and changing their whole defence. At first we were told that nothing could be clearer than that the proceedings of the House of Commons were justified by the known law and uniform custom of parliament. But now it seems, if there be no law, the House of Commons have a right to make one, and if there be no precedent, they have a right to create the first;—for this, I presume, is the amount of the questions proposed to JUNIUS. If your correspondent had been at all versed in the law of parliament, or generally in the laws of this country, he would have seen that this defence is as weak and false as the former.

The privileges of either House of Parliament, it is true, are indefinite, that is, they have not been described or laid down in any one code or declaration whatsoever; but whenever a question of privilege has arisen, it has invariably been disputed or maintained upon the footing of precedents alone.[1] In the course of the proceedings upon the Aylesbury election, the House of Lords resolved, 'That neither House of Parliament had any power, by any vote or declaration, to create to themselves any new privilege that was not warranted by the known laws and customs of parliament.' And to this rule the House of Commons, though otherwise they had acted in a very arbitrary manner, gave their assent, for they affirmed that they had guided themselves by it, in asserting their privileges.—Now, Sir, if this be true with respect to matters of privilege, in which the House of Commons, individually and as a body, are principally concerned, how much more strongly will it hold against any pretended power in that House, to create or declare a new law, by which not only the rights of the House over their own member, and those of the member himself, are concluded, but also those of a third and separate party, I mean the freeholders of the kingdom. To do justice to the ministry, they have not yet pretended that any one or any two of the three estates have power to make a new law, without the concurrence of the third. They know that a man who maintains such a doctrine, is liable, by statute, to the heaviest penalties. They do not acknowledge that the House of Commons have assumed a *new* privilege, or declared a *new* law.—On the contrary, they affirm that their proceedings have been strictly conformable to and founded upon the ancient law and custom of parliament. Thus therefore the question returns to the point, at which JUNIUS had fixed it, viz. *Whether or no this be the law of parliament.* If it be not, the House of Commons had no legal authority to establish the precedent; and the precedent itself is a mere fact, without any proof of right whatsoever.

Your correspondent concludes with a

[1] This is still meeting the ministry upon their own ground: for, in truth, no precedents will support either natural injustice, or violation of positive right.

question of the simplest nature: *Must a thing be wrong, because it has never been done before?* No. But admitting it were proper to be done, that alone does not convey an authority to do it. As to the present case, I hope I shall never see the time, when not only a single person, but a whole county, and in effect the entire collective body of the people, may again be robbed of their birthright by a vote of the House of Commons. But if, for reasons which I am unable to comprehend, it be necessary to trust that House with a power so exorbitant and so unconstitutional, at least let it be given to them by an act of the legislature.

PHILO JUNIUS.

LETTER XVIII.

TO DR WILLIAM BLACKSTONE, SOLICITOR-GENERAL TO HER MAJESTY.

SIR, 29 *July*, 1769.

I SHALL make you no apology for considering a certain pamphlet, in which your late conduct is defended, as written by yourself.[1] The personal interest, the personal resentments, and above all, that wounded spirit, unaccustomed to reproach, and I hope not frequently conscious of deserving it, are signals which betray the author to us as plainly as if your name were in the title-page. You appeal to the public in defence of your reputation. We hold it, Sir, that an injury offered to an individual is interesting to society. On this principle the people of England made common cause with Mr Wilkes. On this principle, if *you* are injured, they will join in your resentment. I shall not follow you through the insipid form of a third person, but address myself to you directly.

You seem to think the channel of a pamphlet more respectable and better suited to the dignity of your cause than that of a newspaper. Be it so. Yet if newspapers are scurrilous, you must confess they are impartial. They give us, without any apparent preference, the wit and argument of the ministry, as well as the abusive dulness of the opposition. The scales are equally poised. It is not the printer's fault if the greater weight inclines the balance.

Your pamphlet then is divided into an attack upon Mr Grenville's character, and a defence of your own. It would have been more consistent, perhaps, with your professed intentions, to have confined yourself to the last. But anger has some claim to indulgence, and railing is usually a relief to the mind. I hope you have found benefit from the experiment. It is not my design to enter into a formal vindication of Mr Grenville, upon his own principles. I have neither the honour of being personally known to him,[2] nor do I pretend to be completely master of all the facts. I need not run the risk of doing an injustice to his opinions, or to his conduct, when your

[1] This was at last admitted by the friends of the solicitor-general. The pamphlet was entitled, 'An answer to the question stated;' and was a reply to a pamphlet from sir William Meredith, one of the most active members of parliament of the Whig party, entitled, 'The question stated,' in reference to the adjudication of Wilkes's incapacity to sit in parliament after his last election; in the course of which also, the inconsistency of opinion between that delivered by the solicitor-general in his Commentaries, and that on the point in question, was severely animadverted upon.

The press was overwhelmed with tracts on this dispute from both sides. Of these, the chief, independently of sir William Meredith's and the reply to it by sir William Blackstone, were 'The case of the last election for the county of Middlesex considered,' attributed to Mr Dyson, who was nick-named, by his opponents, Mungo: 'Serious considerations;' 'Mungo on the use of Quotations;' 'Mungo's case considered;' 'Letter to JUNIUS;' 'Postscript to JUNIUS,' published in a subsequent edition to sir William Blackstone's reply, and 'The False Alarm,' written by Doctor Johnson. Of all these some incidental notice is taken in the course of the volume before us.—EDIT.

[2] This, as already observed in the Preliminary Essay, is a truly singular assertion when taken in connexion with the fact, that Mr Grenville, of all the political characters of the day, appears to have been our author's favourite. He voluntarily omits every opportunity of censuring him, and readily embraces every occasion of defending and extolling his conduct and principles.—EDIT.

pamphlet alone carries, upon the face of it, a full vindication of both.

Your first reflection is, that Mr Grenville[1] was, of all men, the person who should not have complained of inconsistence with regard to Mr Wilkes.[2] This, Sir, is either an unmeaning sneer, a peevish expression of resentment, or, if it means any thing, you plainly beg the question; for whether his parliamentary conduct with regard to Mr Wilkes has or has not been inconsistent, remains yet to be proved. But it seems he received upon the spot a sufficient chastisement for exercising *so unfairly*[3] his talent of misrepresentation. You are a lawyer, Sir, and know better than I do, upon what particular occasions a talent for misrepresentation may be *fairly* exerted; but to punish a man a second time, when he has been once sufficiently chastised, is rather too severe. It is not in the laws of England; it is not in your own Commentaries, nor is it yet, I believe, in the new law you have revealed to the House of Commons. I hope this doctrine has no existence but in your own heart. After all, Sir, if you had consulted that sober discretion, which you seem to oppose with triumph to the honest jollity of a tavern, it might have occurred to you that, although you could have succeeded in fixing a charge of inconsistence upon Mr Grenville, it would not have tended in any shape to exculpate yourself.

Your next insinuation, that sir William Meredith had hastily adopted the false glosses of his new ally, is of the same sort with the first. It conveys a sneer as little worthy of the gravity of your character, as it is useless to your defence. It is of little moment to the public to enquire, by whom the charge was conceived, or by whom it was adopted. The only question we ask is, whether or no it be true. The remainder of your reflections upon Mr Grenville's conduct destroy themselves. He could not possibly come prepared to traduce your integrity to the House. He could not foresee that you would even speak upon the question, much less could he foresee that you would maintain a direct contradiction of that doctrine, which you had solemnly, disinterestedly, and upon soberest reflection delivered to the public. He came armed indeed with what he thought a respectable authority, to support what he was convinced was the cause of truth, and I doubt not he intended to give you, in the course of the debate, an honourable and public testimony of his esteem. Thinking highly of his abilities, I cannot however allow him the gift of divination. As to what you are pleased to call a plan coolly formed to impose upon the House of Commons, and his producing it without provocation at midnight, I consider it as the language of pique and invective, therefore unworthy of regard. But, Sir, I am sensible I have followed your example too long, and wandered from the point.

The quotation from your Commentaries is matter of record. It can neither be *altered*[4] by your friends, nor misrepresented by your enemies; and I am willing to

[1] Mr Grenville had quoted a passage from the Doctor's excellent Commentaries, which directly contradicted the principles maintained by the Doctor in the House of Commons.

[2] It has been already observed that the opposition to Wilkes commenced with Mr George Grenville, who advised the issue of the General Warrant. It is observed also in the same note, that Grenville afterwards deserted the ministry, and attached himself strenuously to the Whig party. See note, p. 167. Upon this apparent inconsistency JUNIUS shrewdly remarks, that whatever propriety or impropriety there might have been in Mr Grenville's opposing Wilkes *personally*—the present question has nothing to do with it—as he now supports him not on account of his personal character, but as the instrument *of the people* at large, whose rights and privileges the ministry have grossly violated by their conduct towards him.—EDIT.

[3] An inaccurate expression in the pamphlet alluded to. The chastisement that ensued is related, p. 179. Blackstone was thunderstruck at the contradiction pointed out by Grenville, and was incapable of uttering a word in his defence:—a pause ensued, and Mr Grenville insultingly shook his head: for the rest see the page as above referred to.—EDIT.

[4] When Wilkes was prosecuted for publishing the North Briton, lord Mansfield was charged with having *altered the record*. See p. 104, note.—EDIT.

take your own word for what you have said in the House of Commons. If there be a real difference between what you have written and what you have spoken, you confess that your book ought to be the standard. Now, Sir, if words mean any thing, I apprehend that, when a long enumeration of disqualifications (whether by statute or the custom of parliament) concludes with these general comprehensive words, 'but subject to these restrictions and disqualifications, *every* subject of the realm is eligible of common right,' a reader, of plain understanding, must of course rest satisfied that no species of disqualification whatsoever had been omitted. The known character of the author, and the apparent accuracy with which the whole work is compiled, would confirm him in his opinion; nor could he possibly form any other judgment, without looking upon your Commentaries in the same light in which you consider those penal laws, which, though not repealed, are fallen into disuse, and are now in effect A SNARE TO THE UNWARY.[1]

You tell us indeed that it was not part of your plan to specify any temporary incapacity, and that you could not, without a spirit of prophecy, have specified the disability of a private individual, subsequent to the period at which you wrote. What your plan was I know not; but what it should have been, in order to complete the work you have given us, is by no means difficult to determine. The incapacity, which you call temporary, may continue seven years; and though you might not have foreseen the particular case of Mr Wilkes, you might and should have foreseen the possibility of *such* a case, and told us how far the House of Commons were authorized to proceed in it by the law and custom of parliament. The freeholders of Middlesex would then have known what they had to trust to, and would never have returned Mr Wilkes, when colonel Luttrell was a candidate against him. They would have chosen some indifferent person, rather than submit to be represented by the object of their contempt and detestation.

Your attempt to distinguish between disabilities which affect whole classes of men, and those which affect individuals only, is really unworthy of your understanding. Your Commentaries had taught me that, although the instance in which a penal law is exerted be particular, the laws themselves are general. They are made for the benefit and instruction of the public, though the penalty falls only upon an individual. You cannot but know, Sir, that what was Mr Wilkes's case yesterday may be yours or mine to-morrow, and that consequently the common right of every subject of the realm is invaded by it. Professing therefore to treat of the constitution of the House of Commons, and of the laws and customs relative to that constitution, you certainly were guilty of a most unpardonable omission in taking no notice of a right and privilege of the House, more extraordinary and more arbitrary than all the others they possess put together. If the expulsion of a member, not under any other legal disability, of itself creates in him an incapacity to be re-elected, I see a ready way marked out, by which the majority may at any time remove the honestest and ablest men who happen to be in opposition to them. To say that they *will not* make this extravagant use of their power, would be a language unfit for a man so learned in the laws as you are. By your doctrine, Sir, they *have* the power, and laws you know are intended to guard against what men *may* do, not to trust to what they *will* do.

Upon the whole, Sir, the charge against you is of a plain, simple nature: It appears even upon the face of your own pamphlet. On the contrary, your justification of yourself is full of subtlety and

[1] If, in stating the law upon any point, a judge deliberately affirms that he has included *every* case, and it should appear that he has purposely omitted a material case, he does in effect lay *a snare for the unwary*.—AUTHOR.

This last part of the sentence is a quotation artfully selected from Blackstone's own works, and turned against himself.—EDIT.

refinement, and in some places not very intelligible. If I were personally your enemy, I should dwell, with a malignant pleasure, upon those great and useful qualifications, which you certainly possess, and by which you once acquired, though they could not preserve to you, the respect and esteem of your country. I should enumerate the honours you have lost, and the virtues you have disgraced: but having no private resentments to gratify, I think it sufficient to have given my opinion of your public conduct, leaving the punishment it deserves to your closet and to yourself.

JUNIUS.

LETTER XIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 *August*, 1769.

A CORRESPONDENT of the St James's Chronicle first wilfully misunderstands JUNIUS, then censures him for a bad reasoner.[1] JUNIUS does not say that it was incumbent upon Dr Blackstone to foresee and state the crimes, for which Mr Wilkes was expelled. If, by a spirit of prophecy, he had even done so, it would have been nothing to the purpose. The question is, not for what particular offences a person may be expelled, but generally, whether by the law of parliament expulsion alone creates a disqualification? If the affirmative be the law of parliament, Doctor Blackstone might and should have told us so. The question is not confined to this or that particular person, but forms one great general branch of disqualification, too important in itself, and too extensive in its consequences, to be omitted in an accurate work expressly treating of the law of parliament.

The truth of the matter is evidently this.

[1] The following is a copy of the letter alluded to:—

For the St James's Chronicle.

TO JUNIUS.

SIR,

Once more, Mr JUNIUS, and but once, let me address a few words to you on the subject of your Antiblackstonian letter, reminding you at the same time, that I am no formal defender of the celebrated commentator (who wants no such defence), but that it is my sole purpose to show that you are not a competent reader of his works, or that you have wilfully and malevolently perverted them.

You tell Mr Blackstone that 'his attempt to distinguish between disabilities that affect whole classes of men, and those which affect individuals only, is really unworthy his understanding.' And yet, Sir, that is no new distinction; it is not framed and invented by Mr Blackstone. Private or personal laws, whether inflicting penalties and disabilities, or conferring privileges and immunities, on the particular object of them, and distinguished from the general and permanent course of law, have been known under all states, and under every legislation, both ancient and modern. They are enacted *pro re nata*, and lose all their force as soon as they have operated upon the individuals marked out by them. But, 'you have been taught, you say (yet surely not from the Commentaries), that, although the instance in which a penal law is exerted be particular, the laws themselves (I must suppose you to speak of the laws now under debate) are general.' But, before you could write thus, what dæmon of confusion must have seized your noddle! Were the votes of the House, by which sir Robert Walpole, Mr Ward, and many others, have been expelled, and the act of parliament which inflicted a perpetual exclusion on the S. S. Directors, general laws? Was the vote to expel Mr Wilkes in the last parliament, a general law? So far from it, that its force was quite evaporated, and it could not operate even upon him, in the present. Another vote of expulsion was necessary; and the two votes put together could no more expel Mr Townshend and Mr Sawbridge from the House of Commons, than the decree of the Roman senate on Catiline and the rest of the conspirators, could send *our* hero and his whole gang to Tyburn.

Acts of attainder come under the same description of personal, temporary, and particular laws; and that I may help you the better to understand this whole matter, and show you, at the same time, the accuracy and consistency of Mr Blackstone, I shall give you his account of them (Comm. b. IV. p. 256): 'As for acts of parliament to attaint particular persons of treason and felony, or to inflict pains and penalties, beyond or contrary to the common law, to serve a special purpose, *I speak not of them* (mark that, JUNIUS); being to all intents and purposes new laws, made *pro re nata*, and by no means an execution of those already in being.' I shall now take my leave of you, having, I hope, sufficiently proved to Mr Baldwin's readers, in the instance you have afforded me, how prettily sometimes a man may write without being able to read.

PUBLIUS.

Middle Temple, August 6, 1769.—EDIT.

Dr Blackstone, while he was speaking in the House of Commons, never once thought of his Commentaries, until the contradiction was unexpectedly urged, and stared him in the face. Instead of defending himself upon the spot, he sunk under the charge, in an agony of confusion and despair. It is well known that there was a pause of some minutes in the House, from a general expectation that the Doctor would say something in his own defence; but it seems, his faculties were too much overpowered to think of those subtleties and refinements, which have since occurred to him. It was then Mr Grenville received that severe chastisement which the Doctor mentions with so much triumph. *I wish the honourable gentleman, instead of shaking his head, would shake a good argument out of it.* If to the elegance, novelty, and bitterness of this ingenious sarcasm, we add the natural melody of the amiable sir Fletcher Norton's pipe, we shall not be surprised that Mr Grenville was unable to make him any reply.

As to the Doctor, I would recommend it to him to be quiet. If not, he may perhaps hear again from JUNIUS himself.

PHILO JUNIUS.

Postscript [1] to a pamphlet intitled, 'An Answer to the Question stated.' Supposed to be written by Dr Blackstone, solicitor to the Queen, in answer to JUNIUS's Letter.

SINCE these papers were sent to the press, a writer in the public papers, who subscribes himself JUNIUS, has made a feint of bringing this question to a short issue. Though the foregoing observations contain, in my opinion at least, a full refutation of all that this writer has offered, I shall, however, bestow a very few words upon him. It will cost me very little trouble to unravel and expose the sophistry of his argument.

'I take the question,' says he, 'to be strictly this: Whether or no it be the known established law of parliament, that the expulsion of a member of the House of Commons of itself creates in him such an incapacity to be re-elected, that, at a subsequent election, any votes given to him are null and void, and that any other candidate, who, except the person expelled, has the greatest number of votes, ought to be the sitting member.'

Waving for the present any objection I may have to this state of the question, I shall venture to meet our champion upon his own ground; and attempt to support the affirmative of it, in one of the two ways, by which he says it can be alone fairly supported. 'If there be no statute,' says he, 'in which the specific disability is clearly created, &c. (and we acknowledge there is none), the custom of parliament must then be referred to, and some case or cases, strictly in point, must be produced, with the decision of the court upon them.' Now I assert, that this has been done. Mr Walpole's case is strictly in point, to prove that expulsion creates absolute incapacity of being re-elected. This was the clear decision of the House upon it; and was a full declaration, that incapacity was the necessary consequence of expulsion. The law was as clearly and firmly fixed by this resolution, and is as binding in every subsequent case of expulsion, as if it had been declared by an express statute, 'That a member expelled by a resolution of the House of Commons shall be deemed incapable of being re-elected.' Whatever doubt then there might have been of the law before Mr Walpole's case, with respect to the full operation of a vote of expulsion, there can be none now. The decision of the House upon this case is strictly in point to prove, that expulsion creates absolute incapacity in law of being re-elected.

But incapacity in law in this instance must have the same operation and effect with incapacity in law in every other instance. Now, incapacity of being re-elected implies in its very terms, that any votes

[1] This is the Postscript, added in a subsequent edition, to sir William Blackstone's reply to sir William Meredith's pamphlet, as noticed, p. 175, note; see also a further extract on this subject, from a 'Speech without-doors,' by sir W. B., p. 172, note.—EDIT.

given to the incapable person, at a subsequent election, are null and void. This is its necessary operation, or it has no operation at all. It is *vox et præterea nihil*. We can no more be called upon to prove this proposition, than we can to prove that a dead man is not alive, or that twice two are four. When the terms are understood, the proposition is self-evident.

Lastly, It is in all cases of election, the known and established law of the land, grounded upon the clearest principles of reason and common sense, that if the votes given to one candidate are null and void, they cannot be opposed to the votes given to another candidate. They cannot affect the votes of such candidate at all. As they have, on the one hand, no positive quality to add or establish, so have they, on the other hand, no negative one to subtract or destroy. They are, in a word, a mere nonentity. Such was the determination of the House of Commons in the Malden and Bedford elections; cases strictly in point to the present question, as far as they are meant to be in point. And to say, that they are not in point, in all circumstances, in those particularly which are independent of the proposition which they are quoted to prove, is to say no more than that Malden is not Middlesex, nor serjeant Comyns Mr Wilkes.

Let us see then how our proof stands. Expulsion creates incapacity; incapacity annihilates any votes given to the incapable person. The votes given to the qualified candidate stand upon their own bottom, firm and untouched, and can alone have effect. This, one would think, would be sufficient. But we are stopped short, and told, that none of our precedents come home to the present case; and are challenged to produce 'a precedent in all the proceedings of the House of Commons that does come home to it, viz. *where an expelled member has been returned again, and another candidate, with an inferior number of votes, has been declared the sitting member.*'

Instead of a precedent, I will beg leave to put a case; which, I fancy, will be quite as decisive to the present point. Suppose another Sacheverel (and every party must have its Sacheverel) should, at some future election, take it into his head to offer himself a candidate for the county of Middlesex. He is opposed by a candidate, whose coat is of a different colour; but however of a very good colour. The divine has an indisputable majority; nay, the poor layman is absolutely distanced. The sheriff, after having had his conscience well informed by the reverend casuist, returns him, as he supposes, duly elected. The whole House is in an uproar, at the apprehension of so strange an appearance amongst them. A motion however is at length made, that the person was incapable of being elected, that his election therefore is null and void, and that his competitor ought to have been returned. No, says a great orator, First show me your law for this proceeding. 'Either produce me a statute, in which the specific disability of a clergyman is created; or produce me a precedent *where a clergyman has been returned, and another candidate, with an inferior number of votes, has been declared the sitting member.*' No such statute, no such precedent, is to be found. What answer then is to be given to this demand? The very same answer which I will give to that of JUNIUS: That there is more than one precedent in the proceedings of the House——'where an incapable person has been returned, and another candidate, with an inferior number of votes, has been declared the sitting member; and that this is the known and established law, in all cases of incapacity, from whatever cause it may arise.'

I shall now therefore beg leave to make a slight amendment to JUNIUS's state of the question, the affirmative of which will then stand thus:

'It is the known and established law of parliament, that the expulsion of any member of the House of Commons creates in him an incapacity of being re-elected; that any votes given to him at a subsequent election are, in consequence of such in-

capacity, null and void ; and that any other candidate, who, except the person rendered incapable, has the greatest number of votes, ought to be the sitting member.'

But our business is not yet quite finished. Mr Walpole's case must have a re-hearing. 'It is not possible,' says this writer, 'to conceive a case more exactly in point. Mr Walpole was expelled, and having a majority of votes at the next election, was returned again. The friends of Mr Taylor, a candidate set up by the ministry, petitioned the House that he might be the sitting member. Thus far the circumstances tally exactly, except that our House of Commons saved Mr Luttrell the trouble of petitioning. The point of law, however, was the same. It came regularly before the House, and it was their business to determine upon it. They did determine it ; for they declared Mr Taylor *not duly elected*.'

Instead of examining the justness of this representation, I shall beg leave to oppose against it my own view of this case, in as plain a manner and as few words as I am able.

It was the known and established law of parliament, when the charge against Mr Walpole came before the House of Commons, that they had power to expel, to disable, and to render incapable for offences. In virtue of this power they expelled him.

Had they, in the very vote of expulsion, adjudged him, in terms, to be incapable of being re-elected, there must have been at once an end with him. But though the right of the House, both to expel, and adjudge incapable, was clear and indubitable, it does not appear to me, that the full operation and effect of a vote of expulsion singly was so. The law in this case had never been expressly declared. There had been no event to call up such a declaration. I trouble not myself with the grammatical meaning of the word expulsion. I regard only its legal meaning. This was not, as I think, precisely fixed. The House thought proper to fix it, and explicitly to declare the full consequences of their former vote, before they suffered these consequences to take effect. And in this proceeding they acted upon the most liberal and solid principles of equity, justice, and law. What then did the burgesses of Lynn collect from the second vote? Their subsequent conduct will tell us : it will with certainty tell us, that they considered it as decisive against Mr Walpole ; it will also, with equal certainty, tell us, that, upon supposition that the law of election stood then as it does now, and that they knew it to stand thus, they inferred, 'that at a future election, and in case of a similar return, the House would receive the same candidate, as duly elected, whom they had before rejected.' They could infer nothing but this.

It is needless to repeat the circumstance of dissimilarity in the present case. It will be sufficient to observe, that as the law of parliament, upon which the House of Commons grounded every step of their proceedings, was clear beyond the reach of doubt, so neither could the freeholders of Middlesex be at a loss to foresee what must be the inevitable consequence of their proceedings in opposition to it. For upon every return of Mr Wilkes, the House made enquiry, whether any votes were given to any other candidate?

But I could venture, for the experiment's sake, even to give this writer the utmost he asks ; to allow the most perfect similarity throughout in these two cases ; to allow, that the law of expulsion was quite as clear to the burgesses of Lynn, as to the freeholders of Middlesex. It will, I am confident, avail his cause but little. It will only prove, that the law of election at that time was different from the present law. It will prove, that, in all cases of an incapable candidate returned, the law then was, that the whole election should be void. But now we know that this is not law. The cases of Malden and Bedford were, as has been seen, determined upon other and more just principles. And these determinations are, I imagine, admitted on all sides to be law.

I would willingly draw a veil over the remaining part of this paper. It is astonishing, it is painful, to see men of parts and ability, giving in to the most unworthy artifices, and descending so much below their true line of character. But if they are not the dupes of their sophistry (which is hardly to be conceived), let them consider that they are something much worse.

The dearest interests of this country are its laws and its constitution. Against every attack upon these, there will, I hope, be always found amongst us the firmest *spirit of resistance;* superior to the united efforts of faction and ambition. For ambition, though it does not always take the lead of faction, will be sure in the end to make the most fatal advantage of it, and draw it to its own purposes. But, I trust, our day of trial is yet far off; and there is *a fund of good sense in this country, which cannot long be deceived*, by the arts either of false reasoning, or false patriotism.

LETTER XX.[1]

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 8 *August*, 1769.

THE gentleman who has published an answer to sir William Meredith's pamphlet, having honoured me with a postscript of six quarto pages, which he moderately calls, bestowing a *very* few words upon me, I cannot, in common politeness, refuse him a reply. The form and magnitude of a quarto imposes upon the mind; and men who are unequal to the labour of discussing an intricate argument, or wish to avoid it, are willing enough to suppose, that much has been proved, because much has been said. Mine, I confess, are humble labours. I do not presume to instruct the learned, but simply to inform the body of the people; and I prefer that channel of conveyance, which is likely to spread farthest among them. The advocates of the ministry seem to me to write for fame, and to flatter themselves, that the size of their works will make them immortal. They pile up reluctant quarto upon solid folio, as if their labours, because they are gigantic, could contend with truth and heaven.

The writer of the volume in question meets me upon my own ground. He acknowledges there is no statute, by which the specific disability we speak of is created, but he affirms, that the custom of parliament has been referred to, and that a case strictly in point has been produced, with the decision of the court upon it.—I thank him for coming so fairly to the point. He asserts, that the case of Mr Walpole is strictly in point to prove that expulsion creates an absolute incapacity of being re-elected; and for this purpose he refers generally to the first vote of the House upon that occasion, without venturing to recite the vote itself. The unfair, disingenuous artifice of adopting that part of a precedent which seems to suit his purpose, and omitting the remainder, deserves some pity, but cannot excite my resentment. He takes advantage eagerly of the first resolution, by which Mr Walpole's incapacity is declared; but as to the two following, by which the candidate with the fewest votes was declared 'not duly elected,' and the election itself vacated, I dare say he would be well satisfied, if they were for ever blotted out of the journals of the House of Commons. In fair argument, no part of a precedent should be admitted, unless the whole of it be given to us together. The author has divided his precedent, for he knew, that, taken together, it produced a consequence directly the reverse of that, which he endeavours to draw from a vote of expulsion. But what will this honest person say, if I take him at his word, and demonstrate to him, that the House of Commons never meant to found Mr Walpole's incapacity upon his expulsion only? What subterfuge will then remain?

[1] 'I wish the enclosed to be announced tomorrow *conspicuously*. I am not capable of writing anything more finished.' Private Letter, No. 6.—EDIT.

Let it be remembered that we are speaking of the intention of men, who lived more than half a century ago, and that such intention can only be collected from their words and actions, as they are delivered to us upon record. To prove their designs by a supposition of what they would have done, opposed to what they actually did, is mere trifling and impertinence. The vote, by which Mr Walpole's incapacity was declared, is thus expressed, 'That Robert Walpole, Esq., having been this session of parliament committed a prisoner to the Tower, and expelled this House for a high breach of trust in the execution of his office, and notorious corruption when secretary at war, was and is incapable of being elected a member to serve in this present parliament.'[1] Now, Sir, to my understanding, no proposition of this kind can be more evident, than that the House of Commons, by this very vote, themselves understood, and meant to declare, that Mr Walpole's incapacity arose from the crimes he had committed, not from the punishment the House annexed to them. The high breach of trust, the notorious corruption, are stated in the strongest terms. They do not tell us he was incapable because he was expelled, but because he had been guilty of such offences as justly rendered him unworthy of a seat in parliament. If they had intended to fix the disability upon his expulsion alone, the mention of his crimes in the same vote would have been highly improper. It could only perplex the minds of the electors, who, if they collected any thing from so confused a declaration of the law of parliament, must have concluded that their representative had been declared incapable because he was highly guilty, not because he had been punished. But even admitting them to have understood it in the other sense, they must then, from the very terms of the vote, have united the idea of his being sent to the Tower with that of his expulsion, and considered his incapacity as the joint effect of both.[2]

[1] It is well worth remarking, that the compiler of a certain quarto, called *The case of the late election for the county of Middlesex considered*, has the impudence to recite this very vote, in the following terms, vide page 11. 'Resolved, that Robert Walpole, Esq., having been that session of parliament expelled the House, was and is incapable of being elected a member to serve in that present parliament.' There cannot be a stronger positive proof of the treachery of the compiler, nor a stronger presumptive proof that he was convinced that the vote, if truly recited, would overturn his whole argument.—AUTHOR.

The editor has already remarked that the pamphlet alluded to in the above note of the author was from the pen of Mr Dyson. See p. 175, note.—EDIT.

[2] TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 22 *May*, 1771.

Very early in the debate upon the decision of the Middlesex election, it was observed by JUNIUS, that the House of Commons had not only exceeded their boasted precedent of the expulsion and subsequent incapacitation of Mr Walpole, but that they had not even adhered to it strictly as far as it went. After convicting Mr Dyson of giving a false quotation from the Journals, and having explained the purpose which that contemptible fraud was intended to answer, he proceeds to state the vote itself, by which Mr Walpole's supposed incapacity was declared, viz.—'Resolved, that Robert Walpole, Esq., having been this session of parliament committed a prisoner to the Tower, and expelled this House for a high breach of trust in the execution of his office, and notorious corruption when secretary at war, was and is incapable of being elected a member to serve in this present parliament:'—and then observes that, from the terms of the vote, we have no right to annex the incapacitation to the *expulsion* only, for that, as the proposition stands, it must arise equally from the expulsion and the commitment to the Tower. I believe, Sir, no man, who knows any thing of dialectics, or who understands English, will dispute the truth and fairness of this construction. But JUNIUS has a great authority to support him, which, to speak with the duke of Grafton, I accidentally met with this morning in the course of my reading. It contains an admonition, which cannot be repeated too often. Lord Somers, in his excellent tract upon the rights of the people, after reciting the vote of the convention of the 28th of January, 1689, viz.—'That King James the Second, having endeavoured to subvert the constitution of this kingdom by breaking the original contract between king and people, and by the advice of Jesuits and other wicked persons having violated the fundamental laws, and having withdrawn himself out of this kingdom, hath abdicated the government, &c.'—makes this observation upon it. 'The word *abdicated* relates to *all* the clauses aforegoing, as well as to his deserting the kingdom, or else they would have been wholly in vain.' And that there might

I do not mean to give an opinion upon the justice of the proceedings of the House of Commons with regard to Mr Walpole; but certainly, if I admitted their censure to be well founded, I could no way avoid agreeing with them in the consequence they drew from it. I could never have a doubt, in law or reason, that a man, convicted of a high breach of trust, and of a notorious corruption, in the execution of a public office, was and ought to be incapable of sitting in the same parliament. Far from attempting to invalidate that vote, I should have wished that the incapacity declared by it could legally have been continued for ever.

Now, Sir, observe how forcibly the argument returns. The House of Commons, upon the face of their proceedings, had the strongest motives to declare Mr Walpole incapable of being re-elected. They thought such a man unworthy to sit among them.—To that point they proceeded;—no farther; for they respected the rights of the people, while they asserted their own. They did not infer, from Mr Walpole's incapacity, that his opponent was duly elected; on the contrary, they declared Mr Taylor 'Not duly elected,' and the election itself void.

Such, however, is the precedent, which my honest friend assures us is strictly in point to prove, that expulsion of itself creates an incapacity of being elected. If it had been so, the present House of Commons should at least have followed strictly the example before them, and should have stated to us, in the same vote, the crimes for which they expelled Mr Wilkes; whereas they resolve simply, that, 'having been expelled, he was and is incapable.' In this proceeding I am authorized to affirm, they have neither statute, nor custom, nor reason, nor one single precedent to support them. On the other side, there is indeed a precedent so strongly in point, that all the enchanted castles of ministerial magic fall before it. In the year 1698 (a period which the rankest Tory dare not except against) Mr Wollaston was expelled, re-elected, and admitted to take his seat in the same parliament. The ministry have precluded themselves from all objections drawn from the cause of his expulsion, for they affirm absolutely, that expulsion of itself creates the disability. Now, Sir, let sophistry evade, let falsehood assert, and impudence deny—here stands the precedent, a landmark to direct us through a troubled sea of controversy, conspicuous and unremoved.

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be no pretence for confining the *abdication* merely to the *withdrawing*, lord Somers farther observes, *that King James, by refusing to govern us according to that law, by which he held the crown, implicitly renounced his title to it.*

If JUNIUS's construction of the vote against Mr Walpole be now admitted (and indeed I cannot comprehend how it can honestly be disputed), the advocates of the House of Commons must either give up their precedent entirely, or be reduced to the necessity of maintaining one of the grossest absurdities imaginable, viz.—'That a commitment to the Tower is a constituent part of, and contributes half at least to the incapacitation of the person who suffers it.'

I need not make you any excuse for endeavouring to keep alive the attention of the public to the decision of the Middlesex election. The more I consider it, the more I am convinced that, as a *fact*, it is indeed highly injurious to the rights of the people; but that, as a *precedent*, it is one of the most dangerous that ever was established against those who are to come after us. Yet I am so far a moderate man, that I verily believe the majority of the House of Commons, when they passed this dangerous vote, neither understood the question, nor knew the consequence of what they were doing. Their motives were rather despicable, than criminal, in the extreme. One effect they certainly did not foresee. They are now reduced to such a situation, that if a member of the present House of Commons were to conduct himself ever so improperly, and in reality deserve to be sent back to his constituents with a mark of disgrace, they would not dare to expel him; because they know that the people, in order to try again the great question of right, or to thwart an odious House of Commons, would probably overlook his immediate unworthiness, and return the same person to parliament.—But, in time, the precedent will gain strength. A future House of Commons will have no such apprehensions, consequently will not scruple to follow a precedent, which they did not establish. The miser himself seldom lives to enjoy the fruit of his extortion; but his heir succeeds to him of course, and takes possession without censure. No man expects him to make restitution, and, no matter for his title, he lives quietly upon the estate.

PHILO JUNIUS.

I have dwelt the longer upon the discussion of this point, because, in *my* opinion, it comprehends the whole question. The rest is unworthy of notice. We are enquiring whether incapacity be or be not created by expulsion. In the cases of Bedford and Malden, the incapacity of the persons returned, was matter of public notoriety, for it was created by act of parliament. But, really, Sir, my honest friend's suppositions are as unfavourable to him as his facts. He well knows that the clergy, besides that they are represented in common with their fellow-subjects, have also a separate parliament of their own;—that their incapacity to sit in the House of Commons has been confirmed by repeated decisions of the House, and that the law of parliament, declared by those decisions, has been for above two centuries notorious and undisputed. The author is certainly at liberty to fancy cases, and make whatever comparisons he thinks proper; his suppositions still continue as distant from fact, as his wild discourses are from solid argument.

The conclusion of his book is candid to an extreme. He offers to grant me all I desire. He thinks he may safely admit that the case of Mr Walpole makes directly against him, for it seems he has one grand solution *in petto* for all difficulties. *If*, says he, *I were to allow all this, it will only prove, that the law of election was different, in queen Anne's time, from what it is at present.*

This indeed is more than I expected. The principle, I know, has been maintained in fact, but I never expected to see it so formally declared. What can he mean? does he assume this language to satisfy the doubts of the people, or does he mean to rouse their indignation? are the ministry daring enough to affirm, that the House of Commons have a right to make and unmake the law of parliament at their pleasure?—Does the law of parliament, which we are so often told is the law of the land, —does the common right of every subject of the realm,—depend upon an arbitrary capricious vote of one branch of the legislature?—The voice of truth and reason must be silent.

The ministry tell us plainly that this is no longer a question of right, but of power and force alone. What was law yesterday is not law to-day: and now, it seems, we have no better rule to live by, than the temporary discretion and fluctuating integrity of the House of Commons.

Professions of patriotism are become stale and ridiculous. For my own part, I claim no merit from endeavouring to do a service to my fellow-subjects. I have done it to the best of my understanding; and, without looking for the approbation of other men, my conscience is satisfied. What remains to be done concerns the collective body of the people. They are now to determine for themselves, whether they will firmly and constitutionally assert their rights; or make an humble, slavish surrender of them at the feet of the ministry. To a generous mind there cannot be a doubt. We owe it to our ancestors to preserve entire those rights which they have delivered to our care: we owe it to our posterity not to suffer their dearest inheritance to be destroyed. But if it were possible for us to be insensible of these sacred claims, there is yet an obligation binding upon ourselves, from which nothing can acquit us,—a personal interest, which we cannot surrender. To alienate even our own rights, would be a crime as much more enormous than suicide, as a life of civil security and freedom is superior to a bare existence; and if life be the bounty of heaven, we scornfully reject the noblest part of the gift, if we consent to surrender that certain rule of living, without which the condition of human nature is not only miserable, but contemptible.

JUNIUS.

LETTER XXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *22 August*, 1769.

I MUST beg of you to print a few

lines in explanation of some passages in my last letter, which I see have been misunderstood.

1. When I said, that the House of Commons never meant to found Mr Walpole's incapacity on his expulsion *only*, I meant no more than to deny the general proposition, that expulsion *alone* creates the incapacity. If there be any thing ambiguous in the expression, I beg leave to explain it by saying, that in my opinion, expulsion neither creates, nor in any part contributes to create, the incapacity in question.

2. I carefully avoided entering into the merits of Mr Walpole's case. I did not enquire, whether the House of Commons acted justly, or whether they truly declared the law of parliament. My remarks went only to their apparent meaning and intention, as it stands declared in their own resolution.

3. I never meant to affirm, that a commitment to the Tower created a disqualification. On the contrary, I considered that idea as an absurdity, into which the ministry must inevitably fall, if they reasoned right upon their own principles.

The case of Mr Wollaston speaks for itself. The ministry assert that *expulsion alone* creates an absolute, complete incapacity to be re-elected to sit in the same parliament. This proposition they have uniformly maintained, without any condition or modification whatsoever. Mr Wollaston was expelled, re-elected, and admitted to take his seat in the same parliament.—I leave it to the public to determine, whether this be a plain matter of fact, or mere nonsense and declamation.

JUNIUS.

LETTER XXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

4 *Sept.*, 1769.

ARGUMENT against FACT; or, A new System of political Logic, by which the ministry have demonstrated, to the satisfaction of their friends, that expulsion alone creates a complete incapacity to be re-elected; *alias*, that a subject of this realm may be robbed of his common right, by a vote of the House of Commons.

FIRST FACT.

Mr Wollaston, in 1698, *was expelled, re-elected, and admitted to take his seat.*

ARGUMENT.

As this cannot conveniently be reconciled with our general proposition, it may be necessary to shift our ground, and look back to the *cause* of Mr Wollaston's expulsion. From thence it will appear clearly that, 'although he was expelled, he had not rendered himself a culprit too ignominious to sit in parliament, and that having resigned his employment, he was no longer incapacitated by law.' *Vide Serious Considerations, page* 23. Or thus, 'The House, somewhat *inaccurately*, used the word EXPELLED; they should have called it A MOTION.' *Vide Mungo's case considered, page* 11. Or, in short, if these arguments should be thought insufficient, we may fairly deny the fact. For example; 'I affirm that he was not re-elected. The same Mr Wollaston, who was expelled, was not again elected. The same individual, if you please, walked into the House, and took his seat there; but the same person in law was not admitted a member of that parliament, from which he had been discarded.' *Vide Letter to* JUNIUS, *page* 12.

SECOND FACT.

Mr Walpole, having been committed to the Tower, and expelled for a high breach of trust and notorious corruption in a public office, was declared incapable, &c.

ARGUMENT.

From the terms of this vote, nothing can be more evident than that the House of Commons meant to fix the incapacity upon the punishment, and not upon the crime; but lest it should appear in a different light to weak, uninformed persons, it may be

advisable to gut the resolution, and give it to the public, with all possible solemnity, in the following terms, viz. 'Resolved, that Robert Walpole, Esq. having been that session of parliament expelled the House, was and is incapable of being elected a member to serve in that present parliament.' *Vide Mungo, on the use of quotations, page* 11.

N.B. The author of the answer to sir William Meredith[1] seems to have made use of Mungo's quotation, for in page 18, he assures us, 'That the declaratory vote of the 17th of February, 1769, was indeed a literal copy of the resolution of the House in Mr Walpole's case.'

THIRD FACT.

His opponent, Mr Taylor, having the smallest number of votes at the next election, was declared NOT DULY ELECTED.

ARGUMENT.

This fact we consider as directly in point to prove that Mr Luttrell ought to be the sitting member, for the following reasons, 'The burgesses of Lynn could draw no other inference from this resolution, but this, that at a future election, and in case of a similar return, the House would receive the same candidate as duly elected, whom they had before rejected.' *Vide Postscript to* JUNIUS, *p.* 37. Or thus: 'This their resolution leaves no room to doubt what part they *would* have taken, if, upon a subsequent re-election of Mr Walpole, there had been any other candidate in competition with him. For, by their vote, they could have no other intention than to admit such other candidate.' *Vide Mungo's case considered, p.* 39. Or take it in this light. —The burgesses of Lynn, having, in defiance of the House, retorted upon them a person, whom they had branded with the most ignominious marks of their displeasure, were thereby so well intitled to favour and indulgence, that the House could do no less than rob Mr Taylor of a right legally vested in him, in order that the burgesses might be apprized of the law of parliament; which law the House took a very direct way of explaining to them, by resolving that the candidate with the fewest votes was not duly elected:—'And was not this much more equitable, more in the spirit of that equal and substantial justice, which is the end of all law, than if they had violently adhered to the strict maxims of law?' *Vide Serious Considerations, p.* 33 *and* 34. 'And if the present House of Commons had chosen to follow the spirit of this resolution, they would have received and established the candidate with the fewest votes.' *Vide Answer to sir W. M., p.* 18.

Permit me now, Sir, to show you, that the worthy Dr Blackstone sometimes contradicts the ministry as well as himself. The speech without-doors asserts,[2] p. 9, 'That the legal effect of an incapacity, founded on a judicial determination of a competent court, is precisely the same as that of an incapacity created by act of parliament.' Now for the Doctor.—*The law and the opinion of the judge are not always convertible terms, or one and the same thing; since it sometimes may happen that the judge may mistake the law.* Commentaries, Vol. I. p. 71.

The answer to sir W. M. asserts, page 23, 'That the returning officer is not a judicial, but a purely ministerial officer. His return is no judicial act.'—At 'em again, Doctor. *The sheriff, in his judicial capacity, is to hear and determine causes of* 40 *shillings value and under in his county court. He has also a judicial power in divers other civil cases. He is likewise to decide the elections of knights of the shire (subject to the control of the House of Commons), to judge of the qualification of voters, and to return such as he shall* DETERMINE *to be duly elected.* Vide Commentaries, page 332, Vol. I.

What conclusion shall we draw from such facts, such arguments, and such contradictions? I cannot express my opinion

[1] Sir W. Blackstone.

[2] See an extract from this speech, inserted in the note to Letter XVII., p. 172.—EDIT.

of the present ministry more exactly than in the words of sir R. Steele, 'that we are governed by a set of drivellers, whose folly takes away all dignity from distress, and makes even calamity ridiculous.'[1]

PHILO JUNIUS.

LETTER XXIII.[2]

TO HIS GRACE THE DUKE OF BEDFORD.

MY LORD, 19 *Sept.* 1769.

YOU are so little accustomed to receive any marks of respect or esteem from the public,[3] that if, in the following lines, a compliment or expression of applause should escape me, I fear you would consider it as a mockery of your established character, and perhaps an insult to your understanding. You have nice feelings, my Lord, if we may judge from your resentments. Cautious therefore of giving offence, where you have so little deserved it, I shall leave the illustration of your virtues to other hands. Your friends have a privilege to play upon the easiness of your temper, or possibly they are better acquainted with your good qualities than I am. You have done good by stealth. The rest is upon record. You have still left ample room for speculation, when panegyric is exhausted.

You are indeed a very considerable man. The highest rank; a splendid fortune; and a name, glorious till it was yours, were sufficient to have supported you with meaner abilities than I think you possess. From the first you derived a constitutional claim to respect; from the second, a natural extensive authority;—the last created a partial expectation of hereditary virtues. The use you have made of these uncommon advantages might have been more honourable to yourself, but could not be more instructive to mankind. We may trace it in the veneration of your country, the choice of your friends, and in the accomplishment

[1] In a pamphlet written by Steele upon the issue of the South-Sea incorporation, at the period when Walpole was just re-emerging from obscurity, to take a more decided and loftier management of public affairs.—EDIT.

[2] In requesting the announcement of this letter, JUNIUS says, 'I mean to make it worth printing.' Private Letter, No. 9.—EDIT.

[3] The unpopular peace of 1763 was negotiated by the duke of Bedford, and gave rise to a variety of public commotions which at length broke out into acts of open insurrection among the Spital-fields weavers, who exclaimed that their trade was ruined by its commercial stipulations. The rumour became current that the French court had purchased this peace by bribes to the Princess Dowager of Wales, lord Bute, the duke of Bedford, and Mr Henry Fox, afterwards lord Holland: and such was its general belief that the House of Commons thought proper to appoint a committee to examine into its truth; who traced it chiefly to a Dr Musgrave, who nevertheless does not appear to have suffered from this libellous report, which, as he affirmed, he had brought home with him from Paris. The public disfavour with which the terms of the peace were received, produced a fresh disagreement between lord Bute and the duke of Bedford on his return home, and he resigned the office of lord privy seal. Upon the death of lord Egremont, however, lord Bute found himself compelled once more to apply to the duke of Bedford for his interest, who, conscious of his importance, exacted not only from lord Bute but from the king himself a submission to whatever terms he chose to impose. After the Regency Bill, which had been recommended in a speech from the throne in April, 1765, had passed both Houses, an attempt was made to change the administration, from a belief that this bill had not received their cordial support during its progress through parliament, but without success. It was upon this occasion that the duke of Bedford insisted upon the dismissal of lord Bute's brother, Mr Stuart Mackenzie, from his office, although Mackenzie had received his Majesty's solemn promise that he should preserve it for life; that he recalled lord Northumberland from the lord-lieutenancy of Ireland, and removed lord Holland from the Pay-office.

Incapable of submitting to such severe treatment, his Majesty soon afterwards intreated the duke of Newcastle and lord Rockingham to rescue him from the Bedford party. They consented, and the duke was again dismissed with contumely. When his Majesty became disgusted, as he soon did, with this ministry also, lord Bute applied in the king's name to George Grenville for support, and the duke of Bedford, who was on terms of the closest friendship with him, once more strove to enter into the cabinet; but on this occasion lord Bute had spirit enough to treat his offer with the utmost contempt. Lord Chatham was next applied to, who consented to take the lead; and on his resignation, the duke of Grafton was made prime minister, who, to strengthen his own hands, re-introduced the duke of Bedford into the cabinet, without however appointing him to any particular office.—EDIT.

of every sanguine hope, which the public might have conceived from the illustrious name of Russell.

The eminence of your station gave you a commanding prospect of your duty. The road which led to honour, was open to your view. You could not lose it by mistake, and you had no temptation to depart from it by design. Compare the natural dignity and importance of the richest peer of England ;—the noble independence which he might have maintained in parliament, and the real interest and respect which he might have acquired, not only in parliament, but through the whole kingdom ; compare these glorious distinctions with the ambition of holding a share in government, the emoluments of a place, the sale of a borough, or the purchase of a corporation; [1] and though you may not regret the virtues which create respect, you may see with anguish how much real importance and authority you have lost. Consider the character of an independent virtuous duke of Bedford ; imagine what he might be in this country, then reflect one moment upon what you are. If it be possible for me to withdraw my attention from the fact, I will tell you in theory what such a man might be.

Conscious of his own weight and importance, his conduct in parliament would be directed by nothing but the constitutional duty of a peer. He would consider himself as a guardian of the laws. Willing to support the just measures of government, but determined to observe the conduct of the minister with suspicion, he would oppose the violence of faction with as much firmness as the encroachments of prerogative. He would be as little capable of bargaining with the minister for places for himself, or his dependents, as of descending to mix himself in the intrigues of opposition. Whenever an important question called for his opinion in parliament, he would be heard, by the most profligate minister, with deference and respect. His authority would either sanctify or disgrace the measures of government.—The people would look up to him as to their protector, and a virtuous prince would have one honest man in his dominions, in whose integrity and judgment he might safely confide. If it should be the will of Providence to afflict him with a domestic misfortune,[2] he would submit to the stroke with feeling, but not without dignity. He would consider the people as his children, and receive a generous heartfelt consolation, in the sympathizing tears and blessings of his country.

Your Grace may probably discover something more intelligible in the negative part of this illustrious character. The man I have described would never prostitute his dignity in parliament by an indecent violence either in opposing or defending a minister. He would not at one moment rancorously persecute, at another basely cringe to, the favourite of his sovereign. After outraging the royal dignity with peremptory conditions, little short of menace and hostility, he would never descend to the humility of soliciting an interview [3] with the favourite, and of offering to recover, at any price, the honour of his friendship. Though deceived perhaps in his youth, he would not, through the course of a long life, have invariably chosen his friends from among the most profligate of mankind. His own honour would have forbidden him from mixing his private pleasures or conversation with jockeys, gamesters, blasphemers, gladiators, or buffoons. He would then have never felt, much less would he have submitted to the humiliating, dishonest necessity of engaging in the interest and intrigues of his dependents, of supplying their vices, or relieving their beggary, at the expense of his country. He would not have betrayed such ignorance, or such contempt of the constitution, as openly to avow, in a court

[1] See note, p. 190—Edit.

[2] The duke had lately lost his only son, by a fall from his horse.

[3] At this interview, which passed at the house of the late lord Eglintoun, lord Bute told the duke that he was determined never to have any connexion with a man who had so basely betrayed him.

of justice, the purchase and sale [1] of a borough. He would not have thought it consistent with his rank in the state, or even with his personal importance, to be the little tyrant of a little corporation.[2] He would never have been insulted with virtues, which he had laboured to extinguish, nor suffered the disgrace of a mortifying defeat, which has made him ridiculous and contemptible, even to the few by whom he was not detested.—I reverence the afflictions of a good man,—his sorrows are sacred. But how can we take part in the distresses of a man, whom we can neither love nor esteem; or feel for a calamity of which he himself is insensible? Where was the father's heart when he could look for or find an immediate consolation for the loss of an only son, in consultations and bargains for a place at court, and even in the misery of balloting at the India House!

Admitting then that you have mistaken or deserted those honourable principles, which ought to have directed your conduct; admitting that you have as little claim to private affection as to public esteem, let us see with what abilities, with what degree of judgment, you have carried your own system into execution. A great man, in the success and even in the magnitude of his crimes, finds a rescue from contempt. Your Grace is every way unfortunate. Yet I will not look back to those ridiculous scenes, by which in your earlier days you thought it an honour to be distinguished; the recorded stripes,[3] the public infamy, your own sufferings, or Mr Rigby's fortitude. These events undoubtedly left an impression, though not upon your mind. To *such* a mind, it may perhaps be a pleasure to reflect, that there is hardly a corner of any of his Majesty's kingdoms, except France, in which, at one time or other, your valuable life has not been in danger. Amiable man! we see and acknowledge the protection of Providence, by which you have so often escaped the personal detestation of your fellow-subjects, and are still reserved for the public justice of your country.

Your history begins to be important at that auspicious period at which you were deputed to represent the earl of Bute, at the court of Versailles. It was an honourable office, and executed with the same spirit with which it was accepted. Your patrons wanted an ambassador, who would submit to make concessions, without daring to insist upon any honourable condition for his sovereign.[4] Their business required a man,

[1] In an answer in Chancery, in a suit against him to recover a large sum paid him by a person, whom he had undertaken to return to parliament, for one of his Grace's boroughs. He was compelled to repay the money.

[2] Of Bedford, where the tyrant was held in such contempt and detestation, that in order to deliver themselves from him, they admitted a great number of strangers to the freedom. To make his defeat truly ridiculous, he tried his whole strength against Mr *Horne*, and was beaten upon his own ground.—AUTHOR.

This contest took place September 4th, 1769, on the election of mayor, bailiffs, and chamberlains for the borough of Bedford. His Grace having in vain objected to the making of any new freemen, at length prevailed on the corporation to allow some of his own particular friends to be put in nomination, when about twenty of them were made accordingly. The names of the freemen proposed to be elected on the popular side of the question, were then read, and were heard with profound silence by his Grace, till the name of *John Horne* was pronounced, when the duke expressed himself with great bitterness towards that gentleman in particular; the corporation however divided upon the point, and Mr Horne was elected, there being seventeen votes in his favour and eleven against him. The candidates for the office of mayor were on the popular side Mr Cawne, and on the part of the duke of Bedford, Mr Richards, the former of whom was elected by 458 votes against 26. The triumph over his Grace was of course complete.—EDIT.

[3] Mr Heston Homphrey, a country attorney, horsewhipped the duke with equal justice, severity, and perseverance, on the course at Litchfield. *Rigby* and *lord Trentham* were also cudgelled in a most exemplary manner. This gave rise to the following story: 'When the late king heard that sir Edward Hawke had given the French a *drubbing*, his Majesty, who had never received that kind of chastisement, was pleased to ask lord Chesterfield the meaning of the word. Sir, says lord Chesterfield, the meaning of the word—but here comes the duke of Bedford, who is better able to explain it to your Majesty than I am.'

[4] Soon after the death of the duke of Bedford the following paragraph was inserted in the Public Advertiser, and as it remained uncontradicted,

who had as little feeling for his own dignity as for the welfare of his country; and they found him in the first rank of the nobility. Belleisle, Goree, Guadaloupe, St Lucia, Martinique, the Fishery, and the Havanna, are glorious monuments of your Grace's talents for negotiation.[1] My Lord, we are too well acquainted with your pecuniary character, to think it possible that so many public sacrifices should have been made, without some private compensations. Your conduct carries with it an internal evidence, beyond all the legal proofs of a court of justice. Even the callous pride of lord Egremont was alarmed.[2] He saw and felt his own dishonour in corresponding with you; and there certainly was a moment, at which he meant to have resisted, had not a fatal lethargy prevailed over his faculties, and carried all sense and memory away with it.

I will not pretend to specify the secret terms on which you were invited to support an administration[3] which Lord Bute pretended to leave in full possession of their ministerial authority, and perfectly masters of themselves. He was not of a temper to relinquish power, though he retired from employment. Stipulations were certainly made between your Grace and him, and certainly violated. After two years' submission, you thought you had collected a strength sufficient to controul his influence, and that it was your turn to be a tyrant, because you had been a slave. When you found yourself mistaken in your opinion of your gracious Master's firmness, disappointment got the better of all your humble discretion, and carried you to an excess of outrage to his person, as distant from true spirit, as from all decency and respect.[4] After robbing him of the rights of a king,

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there is some reason to believe it authentic. As the duke in this letter is arraigned in the most severe terms for the concessions made in negotiating the peace of 1763, it is but justice to his Grace, that a circumstance so honourable should be more generally known. The paragraph runs thus:

'The following anecdote of the late duke of Bedford may be depended upon as fact:—When his Grace negotiated the late peace at Paris, he signed the preliminaries with the French minister Choiseul, and stipulated no farther for the possessions of the East India Company than he was advised to stipulate by the court of directors. A gentleman (a Dutch Jew of great abilities and character), hearing this, wrote a letter to the duke of Bedford, informing him that the English East India Company had materially neglected their own interest, as their chief conquests were made subsequent to the period at which they had fixed their claim of sovereignty; and if these latter conquests were to be restored, an immense annual revenue would necessarily be taken from England. The duke, struck with the force of the fact, yet embarrassed how to act, as preliminaries were really signed, repaired to Choiseul at Versailles, and addressed him thus: 'My Lord, I have committed a great mistake in signing the preliminaries, as the affair of the India possessions must be carried down to our last conquest in Asia.' To this Choiseul replied, 'Your Grace astonishes me; I thought I had been treating with the minister of a great nation, and not with a student in politics, who does not consider the validity of written engagements.' 'Your reproach, my Lord, is just,' returned the duke, 'but I will not add treachery to negligence, nor betray my country deliberately, because I have overlooked her interest unaccountably in a single circumstance; therefore, unless your Lordship agrees to cede the latter conquests in India, I shall return home in twelve hours, and submit the fate of my head to the discretion of an English parliament.' Choiseul, staggered at the duke's intrepidity, complied; and this country now enjoys above half a million annually through the firmness of a man, whom it is even patriotism at present to calumniate, but whose virtues have never yet received justice from the community. On the termination of the affair to his satisfaction, he gave his informant, the Dutch gentleman, the warmest recommendations to England, who accordingly came over, and receives at this moment a pension of £500 a year from the India Company as a reward for his services.'—EDIT.

[1] The peace of 1763 was negotiated by his Grace of Bedford; the conquests here specified were relinquished by its conditions: and the rumour, as already observed, was in general circulation that the duke and his friends had been bribed into so prodigal a surrender. See the note in p. 188.—EDIT.

[2] This man, notwithstanding his pride and Tory principles, had some English stuff in him. Upon an official letter he wrote to the duke of Bedford, the duke desired to be recalled, and it was with the utmost difficulty that lord Bute could appease him.

[3] Mr Grenville, lord Halifax, and lord Egremont.

[4] The ministry having endeavoured to exclude the Dowager out of the regency bill, the earl of Bute determined to dismiss them. Upon this the duke of Bedford demanded an audience of the king, reproached him in plain terms, with his

you would not permit him to preserve the honour of a gentleman. It was then lord Weymouth was nominated to Ireland, and despatched (we well remember with what indecent hurry) to plunder the treasury of the first fruits of an employment which you well knew he was never to execute.[1]

This sudden declaration of war against the favourite might have given you a momentary merit with the public, if it had either been adopted upon principle, or maintained with resolution. Without looking back to all your former servility, we need only observe your subsequent conduct, to see upon what motives you acted. Apparently united with Mr Grenville, you waited until lord Rockingham's feeble administration should dissolve in its own weakness.—The moment their dismission was suspected, the moment you perceived that another system was adopted in the closet, you thought it no disgrace to return to your former dependence, and solicit once more the friendship of lord Bute. You begged an interview, at which he had spirit enough to treat you with contempt.

It would now be of little use to point out, by what a train of weak, injudicious measures it became necessary, or was thought so, to call you back to a share in the administration.[2] The friends, whom you did not in the last instance desert, were not of a character to add strength or credit to government; and at that time your alliance with the duke of Grafton was. I presume, hardly foreseen. We must look for other stipulations, to account for that sudden resolution of the closet, by which three of your dependants[3] (whose characters, I think, cannot be less respected than they are) were advanced to offices, through which you might again controul the minister, and probably engross the whole direction of affairs.

The possession of absolute power is now once more within your reach. The measures you have taken to obtain and confirm it, are too gross to escape the eyes of a discerning judicious prince. His palace is besieged; the lines of circumvallation are drawing round him; and unless he finds a resource in his own activity, or in the attachment of the real friends of his family, the best of princes must submit to the confinement of a state prisoner, until your Grace's death, or some less fortunate event, shall raise the siege. For the present, you may safely resume that style of insult and menace, which even a private gentleman cannot submit to hear without being contemptible. Mr Mackenzie's history is not yet forgotten, and you may find precedents enough of the mode, in which an imperious subject may signify his pleasure to his sovereign. Where will this gracious monarch look for assistance, when the wretched Grafton could forget his obligations to his master, and desert him for a hollow alliance with *such* a man as the duke of Bedford!

Let us consider you, then, as arrived at the summit of worldly greatness; let us suppose, that all your plans of avarice and ambition are accomplished, and your most sanguine wishes gratified in the fear as well as the hatred of the people: Can age itself forget that you are now in the last act of life? Can grey hairs make folly venerable? and is there no period to be reserved for meditation and retirement? For shame! my Lord: let it not be recorded of you, that the latest moments of your life were dedicated to the same unworthy pursuits, the same busy agitations, in which your youth and manhood were exhausted. Consider, that, although you cannot disgrace your former life, you are violating the character of age, and exposing the impotent imbecility, after you have lost the vigour of the passions.

Your friends will ask, perhaps, Whither shall this unhappy old man retire? Can he

duplicity, baseness, falsehood, treachery, and hypocrisy,—repeatedly gave him the lie, and left him in convulsions.

[1] He received three thousand pounds for plate and equipage money.

[2] When earl Gower was appointed president of the council, the king, with his usual sincerity, assured him, that he had not had one happy moment since the duke of Bedford left him.

[3] Lords Gower, Weymouth, and Sandwich.

remain in the metropolis, where his life has been so often threatened, and his palace so often attacked? If he returns to Wooburn, scorn and mockery await him. He must create a solitude round his estate, if he would avoid the face of reproach and derision. At Plymouth, his destruction would be more than probable; at Exeter, inevitable. No honest Englishman will ever forget his attachment, nor any honest Scotchman forgive his treachery, to lord Bute. At every town he enters, he must change his liveries and his name. Which ever way he flies, the *Hue and Cry* of the country pursues him.

In another kingdom, indeed, the blessings of his administration have been more sensibly felt; his virtues better understood; or at worst, they will not, for him alone, forget their hospitality.—As well might VERRES have returned to Sicily. You have twice escaped, my Lord; beware of a third experiment. The indignation of a whole people, plundered, insulted, and oppressed as they have been, will not always be disappointed.

It is in vain therefore to shift the scene. You can no more fly from your enemies than from yourself. Persecuted abroad, you look into your own heart for consolation, and find nothing but reproaches and despair. But, my Lord, you may quit the field of business, though not the field of danger; and though you cannot be safe, you may cease to be ridiculous. I fear you have listened too long to the advice of those pernicious friends, with whose interests you have sordidly united your own, and for whom you have sacrificed every thing that ought to be dear to a man of honour. They are still base enough to encourage the follies of your age, as they once did the vices of your youth. As little acquainted with the rules of decorum, as with the laws of morality, they will not suffer you to profit by experience, nor even to consult the propriety of a bad character. Even now they tell you, that life is no more than a dramatic scene, in which the hero should preserve his consistency to the last, and that as you lived without virtue, you should die without repentance.[1]

JUNIUS.

LETTER XXIV.

TO JUNIUS.

SIR, 14 *September*, 1769.

HAVING accidentally seen a *republication* of your letters, wherein you have been pleased to *assert*, that I had *sold* the companions of my success; I am again obliged to declare the said assertion to be a most *infamous* and *malicious falsehood;* and I *again* call upon you to stand forth, avow yourself, and *prove* the charge. If you can make it out to the satisfaction of any one man in the kingdom, I will be content to be thought the worst man in it; if you do not, what must the nation think of you? *Party* has nothing to do in this affair: you have made a personal attack upon my honour, defamed me by a most vile calumny, which might possibly have sunk into oblivion, had not such uncommon pains been taken to renew and perpetuate this scandal,[2] chiefly because it has been told in good language: for I give you full credit for your elegant diction, well turned periods, and attic wit; but wit is oftentimes false, though it may appear brilliant; which is exactly the case of your *whole performance.* But, Sir, I am obliged in the most *serious* manner to accuse you of being guilty of *falsities.* You have said the thing

[1] As some apprehension was entertained by the printer, that he might be brought before the House of Lords, for inserting this letter in his paper, JUNIUS wrote to him in Private Letter, No. 10, as follows:—'As to *you*, it is clearly my opinion that you have nothing to fear from the duke of Bedford. I reserve some things expressly to awe him, in case he should think of bringing you before the House of Lords. I am sure I can threaten him privately with such a storm, as would make him tremble even in his grave.' See also p. 199.—EDIT.

[2] The reader will perceive, by a reference to Private Letter, No. 4, that this republication was without the author's knowledge or consent. —EDIT.

that is *not*. To support your story, you have recourse to the following *irresistible* argument: 'You *sold* the companions of your victory, because when the 16th regiment was given to *you*, you was *silent*. The conclusion is inevitable.' I believe that such *deep* and *acute reasoning* could only come from such an extraordinary writer as JUNIUS. But unfortunately for you, the *premises* as well as the *conclusion* are absolutely *false*. Many applications have been made to the ministry on the subject of the Manilla ransom *since* the time of my being colonel of that regiment. As I have for some years quitted London, I was obliged to have recourse to the honourable colonel Monson and sir Samuel Cornish,[1] to *negotiate* for me; in the last autumn, I personally delivered a memorial to the earl of Shelburne at his seat in Wiltshire. As you have told us of your importance, that you are a person of *rank* and *fortune*, and above a *common* bribe,[2] you may in all probability be not *unknown* to his Lordship, who can satisfy you of the truth of what I say. But I shall now take the liberty, Sir, to seize your battery, and turn it against yourself. If your puerile and tinsel logic could carry the least weight or conviction with it, how must you stand affected by the *inevitable conclusion*, as you are pleased to term it? According to JUNIUS, *silence* is *guilt*. In many of the public papers, you have been called in the most direct and offensive terms a *liar* and a *coward*. When did you reply to these foul accusations? you have been quite *silent;* quite chopfallen: therefore, *because* you was *silent*, the nation has a right to pronounce you to be both a liar and a coward from your own argument: but, Sir, I will give you fairer play; will afford you an opportunity to wipe off the first appellation; by desiring the proofs of your charge against me. Produce them! To wipe off the last, produce *yourself*. People cannot bear any longer your *lion's skin*, and the despicable *imposture* of the *old Roman name* which you have *affected*. For the future assume the name of some *modern*[3] bravo and dark assassin: let your appellation have some affinity to your practice. But if I must *perish*, JUNIUS, let me *perish* in the face of day; be for *once* a generous and open enemy. I allow that Gothic *appeals* to cold iron are no better proofs of a man's honesty and veracity, than hot iron and burning ploughshares are of *female chastity*: but a soldier's honour is as delicate as a woman's; it must not be suspected; you have dared to throw more than a suspicion upon mine: you cannot but know the consequences, which even the meekness of Christianity would pardon me for, after the injury you have done me.

WILLIAM DRAPER.

[1] These gentlemen accompanied sir William as brother officers in his expedition against the Philippines.—EDIT.

[2] See Miscellaneous Letter of the author, No. LIV.—EDIT.

LETTER XXV.

Hæret lateri lethalis arundo.

TO SIR WILLIAM DRAPER, K. B.

SIR, 25 *September*, 1769.

AFTER so long an interval, I did not expect to see the debate revived between us. My answer to your last letter shall be short; for I write to you with reluctance, and I hope we shall now conclude our correspondence for ever.

Had you been originally and without provocation attacked by an anonymous writer, you would have some right to demand his name. But in this cause you are a volunteer. You engaged in it with the unpremeditated gallantry of a soldier. You were content to set your name in opposition to a man, who would probably continue in concealment. You understood the terms upon which we were to correspond, and gave at least a tacit assent to them. After voluntarily attacking me under the character of JUNIUS, what possible right have you to

[3] Was *Brutus* an *ancient* bravo and dark assassin? or does sir W. D. think it criminal to stab a tyrant to the heart?

know me under any other? Will you forgive me if I insinuate to you, that you foresaw some honour in the apparent spirit of coming forward in person, and that you were not quite indifferent to the display of your literary qualifications?

You cannot but know that the republication of my letters was no more than a catchpenny contrivance of a printer, in which it was impossible I should be concerned, and for which I am no way answerable. At the same time I wish you to understand, that if I do not take the trouble of reprinting these papers, it is not from any fear of giving offence to sir William Draper.

Your remarks upon a signature, adopted merely for distinction, are unworthy of notice; but when you tell me I have submitted to be called a liar and a coward, I must ask you in my turn, whether you seriously think it any way incumbent upon me to take notice of the silly invectives of every simpleton, who writes in a newspaper; and what opinion you would have conceived of my discretion, if I had suffered myself to be the dupe of so shallow an artifice?

Your appeal to the sword, though consistent enough with your late profession, will neither prove your innocence nor clear you from suspicion.———Your complaints with regard to the Manilla ransom were, for a considerable time, a distress to government. You were appointed (greatly out of your turn) to the command of a regiment, and *during that administration* we heard no more of sir William Draper. The facts, of which I speak, may indeed be variously accounted for, but they are too notorious to be denied; and I think you might have learnt at the university, that a false conclusion is an error in argument, not a breach of veracity. Your solicitations, I doubt not, were renewed under *another* administration. Admitting the fact, I fear an indifferent person would only infer from it, that experience had made you acquainted with the benefits of complaining. Remember, Sir, that you have yourself confessed, that, *considering the critical situation of this country, the ministry are in the right to temporize with Spain.* This confession reduces you to an unfortunate dilemma. By renewing your solicitations, you must either mean to force your country into a war at a most unseasonable juncture; or, having no view or expectation of that kind, that you look for nothing but a private compensation to yourself.

As to me, it is by no means necessary that I should be exposed to the resentment of the worst and the most powerful men in this country,[1] though I may be indifferent about yours. Though *you* would fight, there are others who would assassinate.

But after all, Sir, where is the injury? You assure me, that my logic is puerile and tinsel; that it carries not the least weight or conviction; that my premises are false and my conclusions absurd. If this be a just description of me, how is it possible for such a writer to disturb your peace of mind, or to injure a character so well established as yours? Take care, sir William, how you indulge this unruly temper, lest the world should suspect that conscience has some share in your resentments. You have more to fear from the treachery of your own passions, than from any malevolence of mine.

I believe, Sir, you will never know me. A considerable time must certainly elapse before we are personally acquainted. You need not, however, regret the delay, or suffer an apprehension that any length of time can restore you to the Christian meekness of your temper, and disappoint your present indignation. If I understand your character, there is in your own breast a repository, in which your resentments may be safely laid up for future occasions, and preserved without the hazard of diminution. The *Odia in longum jaciens, quæ reconderet, auctaque promeret*, I thought had only belonged to the worst character of antiquity. The text is in Tacitus;—you know best where to look for the commentary.

JUNIUS.

[1] See Private Letter, No. 41, in which he continues to entertain some apprehensions concerning the effects of a discovery of his person. —EDIT.

LETTER XXVI.

A WORD AT PARTING TO JUNIUS.

[1] SIR, 7 *October*, 1769.

As you have not favoured me with either of the *explanations* demanded of you, I can have nothing more to say to you upon my *own* account. Your mercy to me, or tenderness for yourself, has been very great. The public will judge of your *motives*. If your excess of modesty forbids you to produce either the proofs of yourself, I will excuse it. Take courage; I have not the temper of Tiberius, any more than the rank or power. You, indeed, are a tyrant of another sort, and upon your political bed of torture can excruciate any subject, from a first minister down to such a grub or butterfly as myself; like another detested tyrant of antiquity, can make the wretched sufferer fit the bed, if the bed will not fit the sufferer, by disjointing or tearing the trembling limbs until they are stretched to its extremity. But courage, constancy, and patience, under torments, have sometimes caused the most hardened monsters to relent, and forgive the object of their cruelty. You, Sir, are determined to try all that human nature can endure, until she expires: else, was it possible that you could be the author of that most inhuman letter to the duke of Bedford? I have read it with astonishment and horror. Where, Sir, where were the feelings of your own heart, when you could upbraid a most affectionate father with the loss of his only and most amiable son? Read over again those cruel lines of yours, and let them wring your very soul! Cannot political questions be discussed without descending to the most odious personalities? Must you go wantonly out of your way to torment declining age, because the duke of Bedford may have quarrelled with those whose cause and politics you espouse? For shame! for shame! As you have *spoke daggers* to him, you may justly dread the *use* of them against your own breast, did a want of courage, or of noble sentiments, stimulate him to such mean revenge. He is above it; he is brave. Do you fancy that your own base arts have infected our whole island? But your own reflections, your own conscience, must and will, if you have any spark of humanity remaining, give him most ample vengeance. Not all the power of words with which you are so graced, will ever wash out, or even palliate, this foul blot in your character. I have not time at present to dissect your letter so minutely as I could wish, but I will be bold enough to say, that it is (as to reason and argument) the most extraordinary piece of *florid impotence* that was ever imposed upon the eyes and ears of the too credulous and deluded mob. It accuses the duke of Bedford of high treason. Upon what foundation? You tell us, 'that the duke's *pecuniary character* makes it more than *probable*, that he could not have made such sacrifices at the peace, without *some private compensations;* that his conduct carried with it an interior evidence, beyond all the legal proofs of a court of justice.'

My academical education, Sir, bids me tell you that it is necessary to establish the truth of your first proposition, before you presume to draw inferences from it. First prove the avarice, before you make the rash, hasty, and most wicked conclusion.

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[1] *Measures and not men* is the common cant of affected moderation;—a base, counterfeit language, fabricated by knaves, and made current among fools. Such gentle censure is not fitted to the present degenerate state of society. What does it avail to expose the absurd contrivance, or pernicious tendency, of measures, if the man who advises or executes, shall be suffered not only to escape with impunity, but even to preserve his power, and insult us with the favour of his sovereign! I would recommend to the reader the whole of Mr Pope's letter to Doctor Arbuthnot, dated 26 July, 1734, from which the following is an extract. 'To reform and not to chastise I am afraid is impossible; and that the best precepts, as well as the best laws, would prove of small use, if there were no examples to enforce them. To attack vices in the abstract, without touching persons, may be safe fighting indeed, but it is fighting with shadows. My greatest comfort and encouragement to proceed, has been, to see that those who have no shame, and no fear of any thing else, have appeared touched by my satires.'

This father, JUNIUS, whom you call avaricious, allowed that son eight thousand pounds a year. Upon his most unfortunate death, which your usual good nature took care to remind him of, he greatly increased the jointure of the afflicted lady, his widow. Is this avarice? Is this doing good by *stealth?* It is upon record.

If exact order, method, and true economy as a master of a family; if splendour and just magnificence, without wild waste and thoughtless extravagance; may constitute the character of an avaricious man, the duke is guilty. But for a moment let us admit that an ambassador may love money too much; what proof do you give that he has taken any to betray his country? Is it hearsay; or the evidence of letters, or ocular; or the evidence of those concerned in this black affair? Produce your authorities to the public. It is a most impudent kind of sorcery to attempt to blind us with the smoke, without convincing us that the fire has existed. You first brand him with a vice that he is free from, to render him odious and suspected. Suspicion is the foul weapon with which you make all your chief attacks; with that you stab. But shall one of the first subjects of the realm be ruined in his fame, shall even his life be in constant danger, from a charge built upon such sandy foundations? Must his house be besieged by lawless ruffians, his journies impeded, and even the asylum of an altar be insecure, from assertions so base and false? Potent as he is, the duke is amenable to justice; if guilty, punishable. The parliament is the high and solemn tribunal for matters of such great moment. To that be they submitted. But I hope also that some notice will be taken of, and some punishment inflicted upon, false accusers, especially upon such, JUNIUS, who are *wilfully false*. In any truth I will agree even with JUNIUS; will agree with him that it is highly unbecoming the dignity of peers to tamper with boroughs. Aristocracy is as fatal as democracy. Our constitution admits of neither. It loves a King, Lords, and Commons really chosen by the unbought suffrages of a free people. But if corruption only shifts hands; if the wealthy commoner gives the bribe, instead of the potent peer, is the state better served by this exchange? Is the real emancipation of the borough effected, because new parchment bonds may possibly supersede the old? To say the truth, wherever such practices prevail, they are equally criminal to and destructive of our freedom.

The rest of your declamation is scarce worth considering, excepting for the elegance of the language. Like Hamlet in the play, you produce two pictures: you tell us, that one is not like the duke of Bedford; then you bring a most hideous caricature, and tell us of the resemblance; but *multum abludit imago*.

All your long tedious accounts of the ministerial quarrels, and the intrigues of the cabinet, are reducible to a few short lines; and to convince you, Sir, that I do not mean to flatter any minister, either past or present, these are my thoughts: they seem to have acted like lovers, or children; have pouted, quarrelled, cried, kissed, and been friends again,[1] as the objects of desire, the ministerial rattles, have been put into their hands. But such proceedings are very unworthy of the gravity and dignity of a great nation. We do not want men of abilities; but we have wanted steadiness; we want unanimity: your letters, JUNIUS, will not contribute thereto. You may one day expire by a flame of your own kindling. But it is my humble opinion that lenity and moderation, pardon and oblivion, will disappoint the efforts of all the seditious in the land, and extinguish their wide-spreading fires. I have lived with this sentiment; with this I shall die.

WILLIAM DRAPER.[2]

[1] Sir William gives us a pleasant account of men, who, in *his* opinion at least, are the best qualified to govern an empire.

[2] A few days subsequent to the publication of this letter, a report was circulated, that sir William Draper, in consequence of his defence of lord Granby, had been appointed to a govern-

LETTER XXVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 13 *October*, 1769.

IF sir William Draper's bed be a bed of torture, he has made it for himself. I shall never interrupt his repose. Having changed the subject, there are parts of his last letter not undeserving of a reply. Leaving his private character and conduct out of the question, I shall consider him merely in the capacity of an author, whose labours certainly do no discredit to a newspaper.

We say, in common discourse, that a man may be his own enemy, and the frequency of the fact makes the expression intelligible. But that a man should be the bitterest enemy of his friends, implies a contradiction of a peculiar nature! There is something in it which cannot be conceived without a confusion of ideas, nor expressed without a solecism in language. Sir William Draper is still that fatal friend lord Granby found him. Yet I am ready to do justice to his generosity; if indeed it be not something more than generous, to be the voluntary advocate of men, who think themselves injured by his assistance, and to consider nothing in the cause he adopts, but the difficulty of defending it. I thought however he had been better read in the history of the human heart, than to compare or confound the tortures of the body with those of the mind. He ought to have known, though perhaps it might not be his interest to confess, that no outward tyranny can reach the mind. If conscience plays the tyrant, it would be greatly for the benefit of the world that she were more arbitrary, and far less placable, than some men find her.

But it seems I have outraged the feelings of a father's heart.—Am I indeed so injudicious? Does sir William Draper think I would have hazarded my credit with a generous nation, by so gross a violation of the laws of humanity? Does he think I am so little acquainted with the first and noblest characteristic of Englishmen? Or how will he reconcile such folly with an understanding so full of artifice as mine? Had *he* been a father, he would have been but little offended with the severity of the reproach, for his mind would have been filled with the justice of it. He would have seen that I did not insult the feelings of a father, but the father who felt nothing. He would have trusted to the evidence of his own paternal heart, and boldly denied the possibility of the fact, instead of defending it. Against whom then will his honest indignation be directed, when I assure him, that this whole town beheld the duke of Bedford's conduct, upon the death of his son, with horror and astonishment. Sir William Draper does himself but little honour in opposing the general sense of his country. The people are seldom wrong in their opinions;—in their sentiments they are never mistaken. There may be a vanity perhaps in a singular way of thinking;—but when a man professes a want of those feelings, which do honour to the multitude, he hazards something infinitely more important than the character of his understanding. After all, as sir William may possibly be in earnest in his anxiety for the duke of Bedford, I should be glad to relieve him from it. He may rest assured that this worthy nobleman laughs, with equal indifference, at *my* reproaches, and sir William's distress about him. But here let it stop. Even the duke of Bedford, insensible as he is, will consult the tranquillity

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orship in America, which sir William contradicted, in the following short note, addressed to the Printer of the Public Advertiser, Oct. 20, 1769.

'SIR,

'You are desired to contradict the report that sir William Draper is appointed a governor in America. The story has been raised to make the public believe that he has endeavoured to vindicate those whom he knows to have been most infamously traduced for the sake of a reward. His motive for this voyage is entirely curiosity. He has nothing to do with the politics of this ministry, or any other set of men whosoever.'—EDIT.

of his life, in not provoking the moderation of my temper. If, from the profoundest contempt, I should ever rise into anger, he should soon find, that all I have already said of him was lenity and compassion.[1]

Out of a long catalogue, sir William Draper has confined himself to the refutation of two charges only. The rest he had not time to discuss; and indeed it would have been a laborious undertaking. To draw up a defence of such a series of enormities, would have required a life at least as long as that which has been uniformly employed in the practice of them. The public opinion of the duke of Bedford's extreme economy is, it seems, entirely without foundation. Though not very prodigal abroad, in his own family, at least, he is regular and magnificent. He pays his debts, abhors a beggar, and makes a handsome provision for his son. His charity has improved upon the proverb, and ended where it began. Admitting the whole force of this single instance of his domestic generosity (wonderful indeed, considering the narrowness of his fortune, and the little merit of his only son), the public may still perhaps be dissatisfied, and demand some other less equivocal proofs of his munificence. Sir William Draper should have entered boldly into the detail—of indigence relieved—of arts encouraged—of science patronized; men of learning protected, and works of genius rewarded; in short, had there been a single instance, besides Mr Rigby,[2] of blushing merit brought forward by the duke, for the service of the public, it should not have been omitted.[3]

[1] See Private Letter, No. 10.

[2] This gentleman is supposed to have the same idea of *blushing*, that a man blind from his birth has of scarlet or sky-blue.

[3] In answer to this heavy charge, two instances of the noble duke's benevolence were brought forward in two separate letters in the Public Advertiser. The one dated Oct. 17, and signed Frances, which states his having relieved with a *patent employment*, the husband of the writer of a series of sentimental letters of 'Henry and Frances,' in which the author, a Mrs Griffiths, fictitiously depicted their own real distress. The other dated Oct. 20, and signed Jere. Mears, lieut. of the 29th regt. relates the duke's generous and unsolicited bestowment upon him of a pair of colours, upon a knowledge, when lord-lieutenant of Ireland, of the writer's destitute situation.

A much abler reply to JUNIUS's severe attack upon his Grace was afterwards introduced into the Public Advertiser in a letter to JUNIUS subscribed M. Tullius, dated Dec. 8, from which the editor feels bound, on the score of impartiality, to make the following extract:

'In these strictures I have principally in view the treatment which JUNIUS, in two publications, has thought proper to offer to the duke of Bedford. His animadversions on this illustrious nobleman are intended to reflect both on his public and private character. With regard to the first of these, nothing of consequence is urged besides his Grace's conduct as ambassador at the court of Versailles in the making of the late peace. I mean not to enter here into the merits or demerits of that important transaction.——Thus much is known to all, the riches of the nation were at that time well nigh exhausted, public credit was on the brink of ruin, the national debt increased to such an enormous height as to threaten us with a sudden and universal crush; and whatever be said of the concessions that were made to bring that memorable event to bear, Canada, among other instances, will ever remain a glorious monument; the interests of this kingdom were not forgotten in that negotiation: But JUNIUS, hackneyed in the tricks of controversy, where a man's open and avowed actions are innocent, has the art to hint at secret terms and private compensations; and though he is compelled by the force of truth to own 'no document of any treasonable practice is to be found,' we are given plainly to understand, so many public sacrifices were not made at that period without a valuable consideration, and that in practice there is very little difference in the ceremony of offering a bribe, and of that duke's accepting it. To a charge that is alledged, not only without proof, but even with a confession that no proof is to be expected, no answer is to be returned but that of a contemptuous silence. When a writer takes upon him to attack the character of a nobleman of the highest rank, and in a matter of so capital a nature as that of selling his country for a bribe, common policy, as well as prudence, require that an accusation of such importance be supported with at least some show of evidence, and that even this be not done but with the utmost moderation of temper and expression: but so sober a conduct would have been beside the purpose of JUNIUS, whose business it was not to reason, but rail. The Roman rhetorician, among the other arts of oratory, mentions one, which he dignifies with the title of a "Canine eloquence," that of filling up the empty places of an argument with railings, *convitiis implere vacua causarum*. In the knowledge of this rule JUNIUS is without a rival; and the present instance, among a thousand others, is a convincing testimony of his dexterity in the application of it.

'But here it will be said, it is not from cir-

I wish it were possible to establish my inference with the same certainty, on which I believe the principle is founded. My conclusion however was not drawn from the

cumstance and conjecture alone that this charge against the duke of Bedford is founded; the general character of every one takes its colour and complexion from that quality in him which predominates, and the allowed avarice of the man affords an evidence not to be resisted of the rapacity of the ambassador: and is it then so incontestible a point that the duke is indeed the sordid man which JUNIUS has delineated? are there no instances to be produced that denote a contrary disposition? one would think if a vicious thirst of gain had borne so large a share, as is pretended, in his Grace's composition, this would have discovered itself in the pecuniary emoluments he had secured for himself when he engaged in a share of Government. But what advantages of this kind has he obtained; or to what bargains with the minister does JUNIUS allude, when he knows that his Grace, though willing to assist the friends of administration with his interest and weight, has not accepted any department either of power or profit? had JUNIUS and *candour* not shaken hands, this circumstance alone would have afforded him an evidence beyond all the legal proofs of a court of justice, of the iniquity of his own insinuations. But we are not at a loss for other instances, and those no ordinary ones, of the duke's munificence. To what principle shall we attribute the payment of the elder brother's debts to the amount of not much less than one hundred thousand pounds? the splendid provision he made for his unfortunate son; and afterwards for that son's more unfortunate widow? what shall we say to his known attachments to the interests of his friends, his kindness to his domestics, and annual bounty to those who have served him faithfully? his indulgence to his dependants? or what are, if these be not, unequivocal proofs of genuine liberality and benevolence?

'When to these symptoms of an enlarged and generous mind, we add what are equally constituent parts of his Grace's character, the decency and decorum of his conduct in private life, his regularity in his family, and what is now so rare a virtue among the great, his constant attendance on all the public offices of Divine Worship, we shall hardly find, in the whole circle of the nobility, a man that has a juster and much more than a constitutional claim to respect, or one that less deserved the censures of a satirist, such as JUNIUS, than his Grace of Bedford. But in the reflections of JUNIUS there is a more surprising piece of profligacy yet behind. As if all the former instances of his malignity had been too little, he has filled up the measure of his crimes by calling back to our remembrance the loss, which not the father alone, but the kingdom sustained in the death of his only son, and to reproach him for the insensibility he supposes him to have discovered, on that affecting occasion. The cruelty of this accusation is only to be paralleled by the falsehood of it, and in a better age than the present would have been deemed a prodigy. To one who possessed the proper sentiments of a man, the dwelling at all on a calamity which is still so recent, which in all its circumstances was so truly pitiable, would have appeared in the highest degree ungenerous and mean; but to represent the principal sufferer in this scene of woe as the only one not sensible of his misfortune; to paint a father destitute of a father's love, and even professing a want of those feelings which do honour to the multitude, is an instance of barbarity of which a savage would have been ashamed, and which no prettinesses of style, no powers of language, no literary merit, can ever excuse or expiate: and indeed, corrupt as the times are said to be, I have the satisfaction to observe JUNIUS for once has reckoned without his host, and mistaken the taste and temper of his countrymen: we can allow for the petulance which want and hunger extort from an opposition; we can pity the wretch who is obliged to draw his venal quill, and say and unsay as is dictated to him by his superiors: but we are not yet so far gone in the road to ruin, or dead to all the movements of compassion, as to behold without abhorrence the man, who can so totally resign all pretences to humanity, or regard him in any other light than as the object of general detestation.

'JUNIUS in his letter to the duke of Bedford, amuses himself with describing, in theory, the dignity and importance of an independent nobleman: by way of conclusion to these remarks, I shall delineate for him in return, what I conceive should be the character of one who sets up for a political writer; and this, in imitation of his own method, both by the positive and negative marks which may be given of it. A writer then of this class, though he will ever be suspicious of the conduct of those in power, will be sure to watch with equal jealousy over himself, lest in his zeal for exciting a reasonable love of liberty, he encourage a dangerous spirit of licentiousness: he will be as cautious of weakening the constitutional powers of the prince, as he will be careful of supporting the undoubted rights of the people; and will expose with the same freedom, in their turns, the exorbitances of prerogative, and the lawless efforts of a faction. In the negative parts of his character, he will not give occasion to the most distant suspicion that his opposition to government proceeds not so much from a dislike to measures, as to men: in times of real security he will not inflame the minds of the populace with affected apprehensions: before he complains of grievances he will be sure they exist: in his freest writings he will never violate, knowingly, the laws of truth and justice; he will not causelessly expose the follies of youth, the infirmities of age, or the irregularities of private life, in which the public interests are not concerned: he will be

principle alone. I am not so unjust as to reason from one crime to another; though I think, that, of all the vices, avarice is most apt to taint and corrupt the heart. I combined the known temper of the man, with the extravagant concessions made by the ambassador; and though I doubt not sufficient care was taken to leave no document of any treasonable negotiation, I still maintain that the conduct[1] of this minister carries with it an internal and a convincing evidence against him. Sir William Draper seems not to know the value or force of such a proof. He will not permit us to judge of the motives of men, by the manifest tendency of their actions, nor by the notorious character of their minds. He calls for papers and witnesses, with a sort of triumphant security, as if nothing could be true but what could be proved in a court of justice. Yet a religious man might have remembered, upon what foundation some truths, most interesting to mankind, have been received and established. If it were not for the internal evidence, which the purest of religions carries with it, what would have become of his once well-quoted decalogue, and of the meekness of his Christianity?

The generous warmth of his resentment makes him confound the order of events. He forgets that the insults and distresses which the duke of Bedford has suffered, and which sir William has lamented with many delicate touches of the true pathetic, were only recorded in my letter to his Grace, not occasioned by it. It was a simple, candid narrative of facts; though, for aught I know, it may carry with it something prophetic. His Grace undoubtedly has received several ominous hints; and I think, in certain circumstances, a wise man would do well to prepare himself for the event.

But I have a charge of a heavier nature against sir William Draper. He tells us that the duke of Bedford is amenable to justice;—that parliament is a high and solemn tribunal; and that, if guilty, he may be punished by due course of law; and all this, he says, with as much gravity as if he believed every word of the matter. I hope, indeed, the day of impeachments will arrive before this nobleman escapes out of life;—but to refer us to that mode of proceeding now, with such a ministry, and such a House of Commons as the present, what is it, but an indecent mockery of the common sense of the nation? I think he might have contented himself with defending the greatest enemy, without insulting the distresses of his country.

His concluding declaration of his opinion, with respect to the present condition of affairs, is too loose and undetermined to be of any service to the public. How strange it is that this gentleman should dedicate so much time and argument to the defence of worthless or indifferent characters, while he gives but seven solitary lines to the only subject, which can deserve his attention, or do credit to his abilities.

JUNIUS.

LETTER XXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 20 *October*, 1769.

I VERY sincerely applaud the spirit with which a lady has paid the debt of gratitude to her benefactor.[2] Though I think she has mistaken the point, she shows a virtue which makes her respectable. The question turned upon the personal gener-

restrained by a sense of honour from calumniating the innocent or satirising the unhappy: in a word, he will not take advantage of his own security to stab in the dark, or with Solomon's fool, divert himself with holding out the most respectable characters as objects of contempt and ridicule, and say, am not I in sport?'—EDIT.

[1] If sir W. D. will take the trouble of looking into Torcy's Memoirs, he will see with what little ceremony a bribe may be offered to a duke, and with what little ceremony it was *only not accepted*.—AUTHOR.

It is too generally known to need further explanation that the first duke of Marlborough is the nobleman here referred to.—EDIT.

[2] The letter of Mrs Griffiths, signed Frances. See note, *ante*, p. 200.—EDIT.

osity or avarice of a man, whose private fortune is immense. The proofs of his munificence must be drawn from the uses to which he has applied that fortune. I was not speaking of a lord-lieutenant of Ireland, but of a rich English duke, whose wealth gave him the means of doing as much good in this country, as he derived from his power in another. I am far from wishing to lessen the merit of this single benevolent action;—perhaps it is the more conspicuous from standing alone. All I mean to say is, that it proves nothing in the present argument.

JUNIUS.

LETTER XXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *October*, 1769.

I AM well assured that JUNIUS will never descend to a dispute with such a writer as *Modestus* (whose letter appeared in the Gazetteer of Monday[1]) especially as the dispute must be chiefly about words. Notwithstanding the partiality of the public, it does not appear that JUNIUS values himself upon any superior skill in composition, and I hope his time will always be more usefully employed than in the trifling refinements of verbal criticism. *Modestus*, however, shall have no reason to triumph in the silence and moderation of JUNIUS. If he knew as much of the propriety of language, as I believe he does of the facts in question, he would have been as cautious of attacking JUNIUS upon his composition, as he seems to be of entering into the subject of it; yet after all, the last is the only article of any importance to the public.

I do not wonder at the unremitted rancour with which the duke of Bedford and his adherents invariably speak of a nation, which we well know has been too much injured to be easily forgiven. But why must JUNIUS be an Irishman?—*The absurdity of his writings betrays him.*—Waving all consideration of the insult offered by *Modestus* to the declared judgment of the people (they may well bear this among the rest), let us follow the several instances, and try whether the charge be fairly supported.

First then,—the leaving a man to enjoy such repose as he can find upon a bed of torture, is severe indeed; perhaps too much so, when applied to such a trifler as sir William Draper; but there is nothing absurd either in the idea or expression. *Modestus* cannot distinguish between a sarcasm and a contradiction.

2. I affirm with JUNIUS, that it is the *frequency* of the fact, which alone can make us comprehend how a man can be his own enemy. We should never arrive at the complex idea conveyed by those words, if we had only seen one or two instances of a man acting to his own prejudice. Offer the proposition to a child, or a man unused to compound his ideas, and you will soon see how little either of them understand you. It is not a simple idea arising from a single fact, but a very complex idea arising from many facts well observed, and accurately compared.

3. *Modestus* could not, without great affectation, mistake the meaning of JUNIUS, when he speaks of a man who is the bitterest enemy of his friends. He could not but know, that JUNIUS spoke, not of a false or hollow friendship, but of a real intention to serve, and that intention producing the worst effects of enmity. Whether the description be strictly applicable to sir William Draper is another question. JUNIUS does not say that it is more *criminal* for a man to be the enemy of his friends than his own, though he might have affirmed it with truth. In a moral light a man may certainly take greater liberties with himself than with another. To sacrifice ourselves merely, is a weakness we may indulge in, if we think proper, for we do it at our own hazard and expense; but, under the pre-

[1] The gentleman who wrote several letters under this signature in the Gazetteer, and subsequently in the Public Advertiser, was a Mr Dalrymple, a Scotch Advocate, For a specimen of his style, see Miscell. Lett. No. LXVII.—EDIT.

tence of friendship, to sport with the reputation, or sacrifice the honour of another, is something worse than weakness; and if, in favour of the foolish intention, we do not call it a crime, we must allow at least that it arises from an overweening, busy, meddling impudence.—JUNIUS says only, and he says truly, that it is more extraordinary, that it involves a greater contradiction than the other; and is it not a maxim received in life, that in general we can determine more wisely for others than for ourselves? The reason of it is so clear in argument, that it hardly wants the confirmation of experience. Sir William Draper, I confess, is an exception to the general rule, though not much to his credit.

4. If this gentleman will go back to his ethics, he may perhaps discover the truth of what JUNIUS says, *that no outward tyranny can reach the mind*. The tortures of the body may be introduced by way of ornament or illustration to represent those of the mind, but strictly there is no similitude between them. They are totally different both in their cause and operation. The wretch who suffers upon the rack, is merely passive; but when the mind is tortured, it is not at the command of any outward power. It is the sense of guilt which constitutes the punishment, and creates that torture with which the guilty mind acts upon itself.

5. He misquotes what JUNIUS says of conscience, and makes the sentence ridiculous, by making it his own.

So much for composition. Now for fact. —JUNIUS it seems has mistaken the duke of Bedford. His Grace had all the proper feelings of a father, though he took care to suppress the appearance of them. Yet it was an occasion, one would think, on which he need not have been ashamed of his grief;—on which less fortitude would have done him more honour. I can conceive indeed a benevolent motive for his endeavouring to assume an air of tranquillity in his own family, and I wish I could discover any thing, in the rest of his character, to justify my assigning that motive to his behaviour. But is there no medium? Was it necessary to appear abroad, to ballot at the India House, and make a public display, though it were only of an apparent insensibility? — I know we are treading on tender ground, and JUNIUS, I am convinced, does not wish to urge this question farther. Let the friends of the duke of Bedford observe that humble silence, which becomes their situation. They should recollect that there are still some facts in store, at which human nature would shudder. I shall be understood by those whom it concerns, when I say that these facts go farther than to the duke.[1]

It is not inconsistent to suppose that a man may be quite indifferent about one part of a charge, yet severely stung with another, and though he feels no remorse, that he may wish to be revenged. The charge of insensibility carries a reproach indeed, but no danger with it.—JUNIUS had said, *there are others who would assassinate. Modestus*, knowing his man, will not suffer the insinuation to be divided, but fixes it all upon the duke of Bedford.

Without determining upon what evidence JUNIUS would *choose to be condemned*, I will venture to maintain, in opposition to *Modestus*, or to Mr Rigby (who is certainly not *Modestus*), or any other of the Bloomsbury

[1] Within a fortnight after lord Tavistock's death, the venerable *Gertrude* had a rout at Bedford-house. The good duke (who had only sixty thousand pounds a year) ordered an inventory to be taken of his son's wearing apparel, down to his slippers, sold them all, and put the money in his pocket. The amiable marchioness, shocked at such brutal, unfeeling avarice, gave the value of the clothes, to the marquis's servant, out of her own purse. That incomparable woman did not long survive her husband. When she died, the duchess of Bedford treated her as the duke had treated his only son. She ordered every gown and trinket to be sold, and pocketed the money.—These are the monsters, whom sir William Draper comes forward to defend.—May God protect *me* from doing anything that may require such defence, or deserve such friendship.—AUTHOR.

The marquis of Tavistock, the duke of Bedford's only son, who was killed, as already related, by a fall from his horse, had married the sister of the late earl of Albemarle.—EDIT.

gang, that the evidence against the duke of Bedford is as strong as any presumptive evidence can be. It depends upon a combination of facts and reasoning, which require no confirmation from the anecdote of the duke of Marlborough. This anecdote was referred to merely to show how ready a great man may be to receive a great bribe; and if *Modestus* could read the original, he would see that the expression, *only not accepted*, was probably the only one in our language that exactly fitted the case. The bribe, offered to the duke of Marlborough, was not refused.

I cannot conclude without taking notice of this honest gentleman's learning, and wishing he had given us a little more of it. When he accidentally found himself so near speaking truth, it was rather unfair of him to leave out the *non potuisse refelli*. As it stands, the *pudet hæc opprobria* may be divided equally between Mr Rigby and the duke of Bedford. Mr Rigby, I take for granted, will assert his natural right to the modesty of the quotation, and leave all the opprobrium to his Grace.

PHILO JUNIUS.

LETTER XXX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *17 October*, 1769.

IT is not wonderful that the great cause, in which this country is engaged, should have roused and engrossed the whole attention of the people. I rather admire the generous spirit, with which they feel and assert their interest in this important question, than blame them for their indifference about any other. When the constitution is openly invaded, when the first original right of the people, from which all laws derive their authority, is directly attacked, inferior grievances naturally lose their force, and are suffered to pass by without punishment or observation. The present ministry are as singularly marked by their fortune, as by their crimes. Instead of atoning for their former conduct by any wise or popular measure, they have found, in the enormity of one fact, a cover and defence for a series of measures, which must have been fatal to any other administration. I fear we are too remiss in observing the whole of their proceedings. Struck with the principal figure, we do not sufficiently mark in what manner the canvass is filled up. Yet surely it is not a less crime, nor less fatal in its consequences, to encourage a flagrant breach of the law by a military force, than to make use of the forms of parliament to destroy the constitution.—The ministry seem determined to give us a choice of difficulties, and, if possible, to perplex us with the multitude of their offences. The expedient is well worthy of the duke of Grafton. But though he has preserved a gradation and variety in his measures, we should remember that the principle is uniform. Dictated by the same spirit, they deserve the same attention. The following fact, though of the most alarming nature, has not yet been clearly stated to the public, nor have the consequences of it been sufficiently understood. Had I taken it up at an earlier period, I should have been accused of an uncandid, malignant precipitation, as if I watched for an unfair advantage against the ministry, and would not allow them a reasonable time to do their duty. They now stand without excuse. Instead of employing the leisure they have had, in a strict examination of the offence, and punishing the offenders, they seem to have considered *that* indulgence as a security to them, that, with a little time and management, the whole affair might be buried in silence, and utterly forgotten.

A major-general of the army is arrested by the sheriff's officers for a considerable debt.[1] He persuades them to conduct him

[1] Major-general Gansel was arrested September 21, 1769, in Piccadilly, for two thousand pounds. He told the bailiff, if he would go down with him to the Tilt-yard, he should there find a friend, and would, on his not giving bail, go with him to a spunging-house. When they came to the Horse-guards, the officer sent for a serjeant and file of musqueteers to secure the bailiff, on

to the Tilt-yard in St James's Park, under some pretence of business, which it imported him to settle before he was confined. He applies to a serjeant, not immediately on duty, to assist with some of his companions in favouring his escape. He attempts it. A bustle ensues. The bailiffs claim their prisoner. An officer of the guards,[1] not then on duty, takes part in the affair, applies to the lieutenant commanding the Tilt-yard guard,[2] and urges him to turn out his guard to relieve a general officer. The lieutenant declines interfering in person, but stands at a distance, and suffers the business to be done. The other officer takes upon himself to order out the guard. In a moment they are in arms, quit their guard, march, rescue the general, and drive away the sheriffs' officers, who in vain represent their right to the prisoner, and the nature of the arrest. The soldiers first conduct the general into their guard room, then escort him to a place of safety, with bayonets fixed, and in all the forms of military triumph. I will not enlarge upon the various circumstances which attended this atrocious proceeding. The personal injury received by the officers of the law in the execution of their duty, may perhaps be atoned for by some private compensation. I consider nothing but the wound which has been given to the law itself, to which no remedy has been applied, no satisfaction made. Neither is it my design to dwell upon the misconduct of the parties concerned, any farther than is necessary to show the behaviour of the ministry in its true light. I would make every compassionate allowance for the infatuation of the prisoner, the false and criminal discretion of one officer, and the madness of another. I would leave the ignorant soldiers entirely out of the question. They are certainly the least guilty, though they are the only persons who have yet suffered, even in the appearance of punishment.[3] The fact itself, however atrocious, is not the principal point to be considered. It might have happened under a more regular government, and with guards better disciplined than ours. The main question is, in what manner have the ministry acted on this extraordinary occasion. A general officer calls upon the king's own guard, then actually on duty, to rescue him from the laws of his country; yet at this moment he is in a situation no worse, than if he had not committed an offence, equally enormous in a civil and military view.—A lieutenant upon duty designedly quits his guard, and suffers it to be drawn out by another officer, for a purpose, which he well knew (as we may collect from an appearance of caution, which only makes his behaviour the more criminal), to be in the highest degree illegal. Has this gentleman been called to a court

a pretence that he had been insulted by him, which they did, while the prisoner escaped. Adjutant-general Harvey having heard of the affair, ordered the serjeant and his men close prisoners to the Savoy, and sent captain Cox to notify to the sheriffs the steps he had taken in consequence of the proceedings of general Gansel, who had, in the mean while, surrendered himself into custody. In consequence of the above circumstance, on the 21st of April following, was issued to the brigade of guards, the Order as under:

'Parole Hounslow,

'B. O. His Majesty has signified to the field officer in waiting, that he has been acquainted that serjeant Bacon of the first regiment, and serjeant Parke of the Coldstream regiment, William Powell, William Hart, James Porter, and Joseph Collins, private soldiers in the first regiment of foot-guards, were more or less concerned in the rescue of major-general Gansel, in September last; the king hopes, and is willing to believe, they did not know the major-general was arrested, and only thought they were delivering an officer in distress: however his Majesty commands, that they should be severely reprimanded for acting in this business as they have done; and strictly orders for the future, that no commissioned officer or soldier do presume to interfere with bailiffs, or arrests, on any account or pretence whatsoever, the crime being of a very atrocious nature; and if any are found guilty of disobeying this order, they will be most severely punished. This order to be read immediately at the head of every company in the brigade of guards, that no man may plead ignorance for the future.'—EDIT.

[1] Lieutenant Dodd.

[2] Lieutenant Garth.

[3] A few of them were confined, and the rest, as already observed, reprimanded.—EDIT.

martial to answer for his conduct? No. Has it been censured? No. Has it been in any shape inquired into? No.—Another lieutenant, not upon duty, nor even in his regimentals, is daring enough to order out the king's guard, over which he had properly no command, and engages them in a violation of the laws of his country, perhaps the most singular and extravagant that ever was attempted.—What punishment has *he* suffered? Literally none. Supposing he should be prosecuted at common law for the rescue, will that circumstance, from which the ministry can derive no merit, excuse or justify their suffering so flagrant a breach of military discipline to pass by unpunished, and unnoticed? Are they aware of the outrage offered to their sovereign, when his own proper guard is ordered out, to stop, by main force, the execution of his laws? What are we to conclude from so scandalous a neglect of their duty, but that they have other views which can only be answered by securing the attachment of the guards? The minister would hardly be so cautious of offending them, if he did not mean, in due time, to call for their assistance.

With respect to the parties themselves, let it be observed, that these gentlemen are neither young officers, nor very young men. Had they belonged to the unfledged race of ensigns, who infest our streets, and dishonour our public places, it might perhaps be sufficient to send them back to that discipline, from which their parents, judging lightly from the maturity of their vices, had removed them too soon. In this case, I am sorry to see, not so much the folly of youth, as the spirit of the corps, and the connivance of government. I do not question that there are many brave and worthy officers in the regiments of guards. But considering them as a corps, I fear it will be found that they are neither good soldiers, nor good subjects. Far be it from me to insinuate the most distant reflection upon the army. On the contrary, I honour and esteem the profession; and if these gentlemen were better soldiers, I am sure they would be better subjects. It is not that there is any internal vice or defect in the profession itself, as regulated in this country, but that it is the spirit of this particular corps to despise their profession, and that while they vainly assume the lead of the army, they make it matter of impertinent comparison and triumph over the bravest troops in the world (I mean our marching regiments), that *they* indeed stand upon higher ground, and are privileged to neglect the laborious forms of military discipline and duty. Without dwelling longer upon a most invidious subject, I shall leave it to military men, who have seen a service more active than the parade, to determine whether or no I speak truth.

How far this dangerous spirit has been encouraged by government, and to what pernicious purposes it may be applied hereafter, well deserves our most serious consideration. I know indeed, that when this affair happened, an affectation of alarm ran through the ministry. Something must be done to save appearances. The case was too flagrant to be passed by absolutely without notice. But how have they acted? Instead of ordering the officers concerned (and who, strictly speaking, are alone guilty,) to be put under arrest, and brought to trial, they would have it understood, that they did their duty completely, in confining a serjeant and four private soldiers, until they should be demanded by the civil power; so that while the officers, who ordered or permitted the thing to be done, escape without censure, the poor men who obeyed those orders, who in a military view are no way responsible for what they did, and who for that reason have been discharged by the civil magistrates, are the only objects whom the ministry have thought proper to expose to punishment. They did not venture to bring even these men to a court martial, because they knew their evidence would be fatal to some persons, whom *they* were determined to protect. Otherwise, I doubt not, the lives of these unhappy, friendless soldiers, would long since have been sacri-

ficed, without scruple, to the security of their guilty officers.

I have been accused of endeavouring to enflame the passions of the people.—Let me now appeal to their understanding. If there be any tool of administration daring enough to deny these facts, or shameless enough to defend the conduct of the ministry, let him come forward. I care not under what title he appears. He shall find me ready to maintain the truth of my narrative, and the justice of my observations upon it, at the hazard of my utmost credit with the public.

Under the most arbitrary governments, the common administration of justice is suffered to take its course. The subject, though robbed of his share in the legislature, is still protected by the laws. The political freedom of the English constitution was once the pride and honour of an Englishman. The civil equality of the laws preserved the property, and defended the safety of the subject. Are these glorious privileges the birthright of the people, or are we only tenants at the will of the ministry?—But that I know there is a spirit of resistance in the hearts of my countrymen, that they value life, not by its conveniences, but by the independence and dignity of their condition, I should, at this moment, appeal only to their discretion. I should persuade them to banish from their minds all memory of what we were; I should tell them this is not a time to remember that we were Englishmen; and give it as my last advice, to make some early agreement with the minister, that since it has pleased him to rob us of those political rights, which once distinguished the inhabitants of a country, where honour was happiness, he would leave us at least the humble, obedient security of citizens, and graciously condescend to protect us in our submission.

JUNIUS.

LETTER XXXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 *November*, 1769.

THE variety of remarks, which have been made upon the last letter of JUNIUS, and my own opinion of the Writer, who, whatever may be his faults, is certainly not a weak man, have induced me to examine, with some attention, the subject of that letter. I could not persuade myself that, while he had plenty of important materials, he would have taken up a light or trifling occasion to attack the ministry; much less could I conceive that it was his intention to ruin the officers concerned in the rescue of general Gansel, or to injure the general himself. These are little objects, and can no way contribute to the great purposes he seems to have in view, by addressing himself to the public. —Without considering the ornamented style he has adopted, I determined to look farther into the matter, before I decided upon the merits of his letter. The first step I took was to enquire into the truth of the facts; for if these were either false or misrepresented, the most artful exertion of his understanding, in reasoning upon them, would only be a disgrace to him.—Now, Sir, I have found every circumstance stated by JUNIUS to be literally true. General Gansel persuaded the bailiffs to conduct him to the parade, and certainly solicited a corporal and other soldiers to assist him in making his escape. Captain Dodd did certainly apply to captain Garth for the assistance of his guard. Captain Garth declined appearing himself, but stood aloof, while the other took upon him to order out the king's guard, and by main force rescued the general. It is also strictly true, that the general was escorted by a file of musqueteers to a place of security.—These are facts, Mr Woodfall, which I promise you no gentleman in the guards will deny. If all or any of them are false, why are they not contradicted by the parties them-

selves? However secure against military censure, they have yet a character to lose, and surely, if they are innocent, it is not beneath them to pay some attention to the opinion of the public.

The force of JUNIUS's observations upon these facts cannot be better marked, than by stating and refuting the objections which have been made to them. One writer says, 'Admitting the officers have offended, they are punishable at common law, and will you have a British subject punished twice for the same offence?' I answer that they have committed two offences, both very enormous, and violated two laws. The rescue is one offence, the flagrant breach of discipline another, and hitherto it does not appear that they have been punished, or even censured, for either. Another gentleman lays much stress upon the calamity of the case, and, instead of disproving facts, appeals at once to the compassion of the public. This idea, as well as the insinuation *that depriving the parties of their commissions would be an injury to their creditors*, can only refer to general Gansel. The other officers are in no distress, therefore have no claim to compassion, nor does it appear that their creditors, if they have any, are more likely to be satisfied by their continuing in the guards. But this sort of plea will not hold in any shape. Compassion to an offender, who has grossly violated the laws, is in effect a cruelty to the peaceable subject who has observed them; and, even admitting the force of any alleviating circumstances, it is nevertheless true, that, in this instance, the royal compassion has interposed too soon. The legal and proper mercy of a king of England may remit the punishment, but ought not to stop the trial.

Besides these particular objections, there has been a cry raised against JUNIUS for his malice and injustice in attacking the ministry upon an event, which they could neither hinder nor foresee. This, I must affirm, is a false representation of his argument. He lays no stress upon the event itself, as a ground of accusation against the ministry, but dwells entirely upon their subsequent conduct. He does not say that they are answerable for the offence, but for the scandalous neglect of their duty, in suffering an offence, so flagrant, to pass by without notice or enquiry. Supposing them ever so regardless of what they owe to the public, and as indifferent about the opinion as they are about the interests of their country, what answer, as officers of the crown, will they give to JUNIUS, when he asks them, *Are they aware of the outrage offered to their sovereign, when his own proper guard is ordered out to stop, by main force, the execution of his laws?*—And when we see a ministry giving such a strange unaccountable protection to the officers of the guards, is it unfair to suspect, that they have some secret and unwarrantable motives for their conduct? If they feel themselves injured by such a suspicion, why do they not immediately clear themselves from it, by doing their duty? For the honour of the guards, I cannot help expressing another suspicion, that, if the commanding officer had not received a secret injunction to the contrary, he would, in the ordinary course of his business, have applied for a court martial to try the two subalterns; the one for quitting his guard;—the other for taking upon him the command of the guard, and employing it in the manner he did. I do not mean to enter into or defend the severity, with which JUNIUS treats the guards. On the contrary, I will suppose, for a moment, that they deserve a very different character. If this be true, in what light will they consider the conduct of the two subalterns, but as a general reproach and disgrace to the whole corps? And will they not wish to see them censured in a military way, if it were only for the credit and discipline of the regiment.

Upon the whole, Sir, the ministry seem to me to have taken a very improper advantage of the good-nature of the public, whose humanity, they found, considered nothing in this affair but the distress of general Gansel. They would persuade us that it was only a common rescue, by a few

disorderly soldiers, and not the formal deliberate act of the king's guard, headed by an officer, and the public has fallen into the deception. I think, therefore, we are obliged to JUNIUS for the care he has taken to enquire into the facts, and for the just commentary with which he has given them to the world.—For my own part, I am as unwilling as any man to load the unfortunate; but, really, Sir, the precedent, with respect to the guards, is of a most important nature, and alarming enough (considering the consequences with which it may be attended) to deserve a parliamentary enquiry: when the guards are daring enough, not only to violate their own discipline, but publicly and with the most atrocious violence to stop the execution of the laws, and when such extraordinary offences pass with impunity, believe me, Sir, the precedent strikes deep.

PHILO JUNIUS.[1]

LETTER XXXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 15 *Nov.* 1769.

I ADMIT the claim of a gentleman, who publishes in the Gazetteer under the name of *Modestus*.[2] He has some right to expect an answer from me: though, I think, not so much from the merit or importance of his objections, as from my own voluntary engagement. I had a reason for not taking notice of him sooner, which, as he is a candid person, I believe he will think sufficient. In my first letter, I took for granted, from the time which had elapsed, that there was no intention to censure, nor even to try, the persons concerned in the rescue of general Gansel; but *Modestus* having since either affirmed, or strongly insinuated, that the offenders might still be brought to a legal trial, any attempt to prejudge the cause, or to prejudice the minds of a jury, or a court martial, would be highly improper.

A man more hostile to the ministry than I am, would not so often remind them of their duty. If the duke of Grafton will not perform the duty of his station, why is he minister?—I will not descend to a scurrilous altercation with any man: but this is a subject too important to be passed over with silent indifference. If the gentlemen, whose conduct is in question, are not brought to a trial, the duke of Grafton shall hear from me again.[3]

The motives on which I am supposed to have taken up this cause, are of little importance, compared with the facts themselves, and the observations I have made upon them. Without a vain profession of integrity, which, in these times, might justly be suspected, I shall show myself in effect a friend to the interests of my countrymen, and leave it to them to determine, whether I am moved by a personal malevolence to three private gentlemen, or merely by a hope of perplexing the ministry, or whether I am animated by a just and honourable purpose of obtaining a satisfaction to the laws of this country, equal, if possible, to the violation they have suffered.

JUNIUS.

LETTER XXXIII.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 29 *Nov.* 1769.

THOUGH my opinion of your Grace's integrity was but little affected by the coyness with which you received Mr

[1] This letter was originally printed in the Public Advertiser, with the signature of *Moderatus*. It shows that JUNIUS himself was peculiarly pleased with the composition, or he would not have raised it, in his own edition, to the rank of those letters which possess the signature of his *chief* auxiliary.—EDIT.

[2] In the copy corrected by the author, and from which the original edition of these letters was printed, he gives directions to omit the letters under this signature in the following words:—'MODESTUS is too stupid, and must not be inserted.' For a specimen of his style, however, see Miscellaneous Letters, No. LXVII.—EDIT.

[3] See this subject further pursued in Miscellaneous Letters, LXIV. to LXVIII. inclusive.—EDIT.

Vaughan's proposals,[1] I confess I gave you some credit for your discretion. You had a fair opportunity of displaying a certain delicacy, of which you had not been suspected; and you were in the right to make use of it. By laying in a moderate stock of reputation, you undoubtedly meant to provide for the future necessities of your character, that with an honourable resistance upon record, you might safely indulge your genius, and yield to a favourite inclination with security. But you have discovered your purposes too soon; and, instead of the modest reserve of virtue, have shown us the termagant chastity of a prude, who gratifies her passions with distinction, and prosecutes one lover for a rape, while she solicits the lewd embraces of another.

Your cheek turns pale; for a guilty conscience tells you, you are undone.—Come forward, thou virtuous minister, and tell the world by what interest Mr Hine has been recommended to so extraordinary a mark of his Majesty's favour; what was the price of the patent he has bought, and to what honourable purpose the purchase-money has been applied. Nothing less than many thousands could pay colonel Burgoyne's expenses at Preston.[2] Do you dare to prosecute such a creature as Vaughan, while you are basely setting up the royal patronage to auction? Do you dare to complain of an attack upon your own honour, while you are selling the favours of the crown, to raise a fund for corrupting the morals of the people? And do you think it possible such enormities should escape without impeachment? It is indeed highly your interest to maintain the present House of Commons. Having sold the nation to you in gross, they will undoubtedly protect you in the detail; for while they patronize *your* crimes, they feel for their own.

JUNIUS.

LETTER XXXIV.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 12 *Dec.* 1769.

I FIND with some surprise, that you are not supported as you deserve. Your most determined advocates have scruples about them, which *you* are unacquainted with; and, though there be nothing too hazardous for your Grace to engage in, there are some things too infamous for the vilest prostitute of a newspaper to defend.[3] In what other manner shall we account for the profound, submissive silence, which you and your friends have observed upon a charge, which called immediately for the clearest refutation, and would have justified the severest measures of resentment? I did not attempt to blast your character by an indirect, ambiguous insinuation, but candidly stated to you a plain fact, which struck directly at the integrity of a privy counsellor, of a first commissioner of the Treasury, and of a leading minister, who is supposed to enjoy the first share in his Majesty's confidence.[4] In every one of these capacities I employed the most moderate terms to charge you

[1] The facts are detailed by JUNIUS in a note, p. 212, and in Letter XXXVI. Mr Samuel Vaughan was a merchant in the city, of hitherto unblemished character, and strongly attached to the popular cause. The office he attempted to procure, had, at times, been previously disposed of for a pecuniary consideration, and had, on one particular occasion, been sold by an order of the Court of Chancery, and consisted in the reversion of the clerkship to the Supreme Court in the island of Jamaica. A Mr Howell was, in fact, at this very time in treaty with the patentee for the purchase of his resignation, which clearly disproved any criminal intention in Mr V. He was however prosecuted, obviously from political motives, but which was dropped, as subsequently stated by JUNIUS, after the affair of Hine's patent was brought before the public.—EDIT.

[2] See the ensuing letter, as also Private Letter, No. 15, December 12, 1769.—EDIT.

[3] From the publication of the preceding to this date, not one word was said in defence of the infamous duke of Grafton. But vice and impudence soon recovered themselves, and the sale of the royal favour was openly avowed and defended. We acknowledge the piety of St James's; but what is become of *his* morality?

[4] And by the same means preserves it to this hour.

with treachery to your sovereign, and breach of trust in your office. I accused you of having *sold*, or permitted to be *sold*, a patent place in the collection of the customs at Exeter, to one Mr Hine, who, unable or unwilling to deposit the whole purchase-money himself, raised part of it by contribution, and has now a certain doctor Brooke quartered upon the salary for one hundred pounds a year.—No sale by the candle was ever conducted with greater formality.—I affirm that the price at which the place was knocked down (and which, I have good reason to think, was not less than three thousand five hundred pounds) was, with your connivance and consent,[1] paid to colonel Burgoyne, to reward him, I presume, for the decency of his deportment at Preston;[2] or to reimburse him, perhaps, for the fine of one thousand pounds, which, for that very deportment, the Court of King's Bench thought proper to set upon him.—It is not often that the chief justice and the prime minister are so strangely at variance in their opinions of men and things.

I thank God there is not in human nature a degree of impudence daring enough to deny the charge I have fixed upon you. Your courteous secretary,[3] your confidential architect,[4] are silent as the grave. Even Mr Rigby's countenance fails him. He violates his second nature, and blushes whenever he speaks of you.[5] Perhaps the noble colonel himself will relieve you. No man is more tender of his reputation. He is not only nice, but perfectly sore in every thing that touches his honour. If any man, for example, were to accuse him of taking his stand at a gaming-table, and watching, with the soberest attention, for a fair opportunity of engaging a drunken young nobleman at piquet, he would undoubtedly consider it as an infamous aspersion upon his character, and resent it like a man of honour.—Acquitting him therefore of drawing a regular and splendid subsistence from any unworthy practices, either in his own house or elsewhere, let me ask your Grace, for what military merits you have been pleased to reward him with a military government?[6] He had a regiment

[1] The following is the answer to the charge of JUNIUS.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *Dec.* 14, 1769.

The infamous traduction of that libeller JUNIUS, his daring falsehoods, and gross misrepresentations, excite in me the utmost abhorrence and contempt, and I hope all his deadly poisons will be sheathed in the natural antidote every good mind has to malevolent and bitter invective. What act of delinquency has the duke of Grafton committed, by colonel Burgoyne disposing of a patent obtained of his Grace? Will JUNIUS dare to assert it was with the duke's privity, or for his emolument? Let us state the fact, and disarm the assassin at once. A place in the custom-house at Exeter becomes vacant—colonel Burgoyne asks it of the duke of Grafton—he gives it.—The colonel says, I cannot hold it myself; will you give it my friend?—The duke consents—the colonel nominates—the duke appoints; but, says JUNIUS, the colonel set it up to sale, and actually received a sum of money for it. Be it so—he took a gross sum for what was given him as an annual income; and who is injured by this? If the duke of Grafton sold it, he is impeachable; if he gave it to be sold, he is blameable; but if his Grace did neither, which is the fact, he is basely belied, and most impudently and wickedly vilified.

EDIT. JUSTICE.

[2] Colonel, afterwards general, Burgoyne, was a candidate, together with sir Harry Houghton, for Preston, at the general election in 1768, on the interest of the earl of Derby, who had a house in the town, in which he occasionally resided, who was accustomed to return one, if not both the members, and whose daughter the colonel had run away with. The corporation supported sir Frank Standish and sir Peter Leicester, who were returned. Burgoyne and Houghton petitioned the House of Commons, and set up the right of the inhabitants at large to vote, which was so decided by the House. The corporation endeavoured to controvert this decision in 1784, and supported Mr M. A. Taylor, and Mr (now serjeant) Clayton; a double return ensued. Mr Fox was nominee of Burgoyne and his colleague; when the committee, after a very long hearing, confirmed the decision of 1768. It was during the former contest that colonel Burgoyne suffered his partisans to commit the most disgraceful excesses, and for which he was, upon the close of the election, prosecuted and fined, as stated in the text.—EDIT.

[3] Tommy Bradshaw.

[4] Mr Taylor. He and George Ross (the Scotch agent and worthy confidant of Lord Mansfield) managed the business.

[5] Mr Rigby was proverbially remarked for a countenance not easily abashed by any occurrence.—EDIT.

[6] Col. Burgoyne, only a few days before the

of dragoons, which, one would imagine, was at least an equivalent for any services *he* ever performed. Besides, he is but a young officer, considering his preferment, and, except in his activity at Preston, not very conspicuous in his profession. But it seems, the sale of a civil employment was not sufficient, and military governments, which were intended for the support of worn-out veterans, must be thrown into the scale, to defray the extensive bribery of a contested election. Are these the steps you take to secure to your sovereign the attachment of his army? With what countenance dare you appear in the royal presence, branded as you are with the infamy of a notorious breach of trust? With what countenance can you take your seat at the Treasury-board or in council, when you *feel* that every circulating whisper is at *your* expense alone, and stabs you to the heart? Have you a single friend in parliament so shameless, so thoroughly abandoned, as to undertake your defence? You know, my Lord, that there is not a man in either House, whose character, however flagitious, would not be ruined by mixing his reputation with yours; and does not your heart inform you, that you are degraded below the condition of a man, when you are obliged to hear these insults with submission, and even to thank me for my moderation?

We are told, by the highest judicial authority, that Mr Vaughan's offer to purchase the reversion of a patent in Jamaica (which he was otherwise sufficiently entitled to) amounted to a high misdemeanour.[1] Be it so: and if he deserves it, let him be punished. But the learned judge might have had a fairer opportunity of displaying the powers of his eloquence. Having delivered himself with so much energy upon the criminal nature and dangerous consequences of any attempt to corrupt a man in your Grace's station, what would he have said to the minister himself, to that very privy counsellor, to that first commissioner of the Treasury, who does not wait for, but impatiently solicits the touch of corruption; who employs the meanest of his creatures in these honourable services, and, forgetting the genius and fidelity of his secretary, descends to apply to his house-builder for assistance?

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date of this letter, had been promoted to the government of Fort William.—EDIT.

[1] A little before the publication of this and the preceding letter, the chaste duke of Grafton had commenced a prosecution against Mr Samuel Vaughan, for endeavouring to corrupt his integrity, by an offer of five thousand pounds for a patent place in Jamaica. A rule to show cause, why an information should not be exhibited against Vaughan for certain misdemeanours, being granted by the Court of King's Bench, the matter was solemnly argued on the 27th of November, 1769, and, by the unanimous opinion of the four judges, the rule was made absolute. The pleadings and speeches were accurately taken in short-hand and published. The whole of lord Mansfield's speech, and particularly the following extracts from it, deserve the reader's attention. 'A practice of the kind complained of here is certainly dishonourable and scandalous. —If a man, standing under the relation of an officer under the king, or of a person in whom the king puts confidence, or of a minister, takes money for the use of that confidence the king puts in him, he basely betrays the king, — he basely betrays his trust. — If the king sold the office, it would be acting contrary to the trust the constitution hath reposed in him. The constitution does not intend the crown should sell those offices, to raise a revenue out of them.—Is it possible to hesitate, whether this would not be criminal in the duke of Grafton;—contrary to his duty as a privy counsellor — contrary to his duty as a minister—contrary to his duty as a subject.—His advice should be free according to his judgment;—it is the duty of his office;—he has sworn to it.'—Notwithstanding all this, the chaste duke of Grafton certainly sold a patent place to Mr Hine for three thousand five hundred pounds; and, for so doing, is now lord privy seal to the chaste George, with whose piety we are perpetually deafened. If the House of Commons had done their duty, and impeached the black duke for this most infamous breach of trust, how woefully must poor, honest Mansfield have been puzzled! His embarrassment would have afforded the most ridiculous scene that ever was exhibited. To save the worthy judge from this perplexity, and the no less worthy duke from impeachment, the prosecution against *Vaughan* was immediaetly dropped upon my discovery and publication of the duke's treachery. The suffering this charge to pass, without any enquiry, fixes shameless prostitution upon the face of the House of Commons, more strongly than even the Middlesex election.—Yet the licentiousness of the press is complained of!

This affair, my Lord, will do infinite credit to government, if, to clear your character, you should think proper to bring it into the House of Lords, or into the Court of King's Bench.———But, my Lord, you dare not do either.

JUNIUS.

LETTER XXXV.[1]

FOR THE PUBLIC ADVERTISER.

19 *December*, 1769.

WHEN the complaints of a brave and powerful people are observed to increase in proportion to the wrongs they have suffered; when, instead of sinking into submission, they are roused to resistance, the time will soon arrive at which every inferior consideration must yield to the security of the sovereign, and to the general safety of the state. There is a moment of difficulty and danger, at which flattery and falsehood can no longer deceive, and simplicity itself can no longer be misled. Let us suppose it arrived. Let us suppose a gracious, well-intentioned Prince, made sensible at last of the great duty he owes to his people, and of his own disgraceful situation; that he looks round him for assistance, and asks for no advice, but how to gratify the wishes and secure the happiness of his subjects. In these circumstances, it may be matter of curious SPECULATION to consider, if an honest man were permitted to approach a king, in what terms he would address himself to his sovereign. Let it be imagined, no matter how improbable, that the first prejudice against his character is removed, that the ceremonious difficulties of an audience are surmounted, that he feels himself animated by the purest and most honourable affections to his king and country, and that the great person, whom he addresses, has spirit enough to bid him speak freely, and understanding enough to listen to him with attention. Unacquainted with the vain impertinence of forms, he would deliver his sentiments with dignity and firmness, but not without respect.

SIR,

IT is the misfortune of your life, and originally the cause of every reproach and distress which has attended your government, that you should never have been acquainted with the language of truth, until you heard it in the complaints of your people. It is not, however, too late to correct the error of your education. We are still inclined to make an indulgent allowance for the pernicious lessons you received in your youth, and to form the

[1] The address to the King through the medium of this letter, made a very great impression upon the public mind at the moment of its appearance, and though 500 copies of the P. A. were printed in addition to the usual numbers circulated, not a single copy was to be procured in a few hours after its publication. The author himself, indeed, seemed to entertain a very favourable opinion of it; as in Private Letter, No. 15, speaking of this letter, he says, 'I am now meditating a capital, and, I hope, a final piece.' It was for this production that the printer was prosecuted, and obtained the celebrated verdict of 'guilty of printing and publishing only,' the consequence of which, as already observed in note to p. 122, was, that two distinct motions were made in court; one by the counsel for the defendant in arrest of judgment, grounded on its ambiguity, and another by the counsel for the crown, to compel the defendant to show cause why the verdict should not be entered up according to the legal import. The case being argued, the 'Court of King's Bench ultimately decided that a new trial should be granted. This accordingly commenced, when the attorney-general observing to the chief justice, that he had not the original newspaper by which he could prove the publication; his Lordship laconically replied, 'that's not my fault, Mr Attorney:' and in this manner terminated the second trial. The fact is, that the foreman of the jury upon the first trial had pocketed the paper, upon its being handed to the jury box for inspection, and had afterwards destroyed it. The expense the defendant was put to in this prosecution, as stated in Private Letter, No. 19, amounted to about £120. The late Mr Almon, who was also prosecuted for selling a reprint of this letter, asserts, in a note to another edition of this work, that the legal expense incurred in defending his own action, which could not exceed that of the original printer, amounted to between *five and six hundred pounds!* An exaggeration which proves the necessity of exercising no small degree of caution, in estimating whatever other facts he has attempted to advance, with a view of elucidating the general history of the times.—EDIT.

most sanguine hopes from the natural benevolence of your disposition.[1] We are far from thinking you capable of a direct, deliberate purpose to invade those original rights of your subjects, on which all their civil and political liberties depend. Had it been possible for us to entertain a suspicion so dishonourable to your character, we should long since have adopted a style of remonstrance very distant from the humility of complaint. The doctrine inculcated by our laws, *That the King can do no wrong*, is admitted without reluctance. We separate the amiable, good-natured prince from the folly and treachery of his servants, and the private virtues of the man from the vices of his government. Were it not for this just distinction, I know not whether your Majesty's condition, or that of the English nation, would deserve most to be lamented. I would prepare your mind for a favourable reception of truth, by removing every painful, offensive idea of personal reproach. Your subjects, Sir, wish for nothing but that, as *they* are reasonable and affectionate enough to separate your person from your government, so *you*, in your turn, should distinguish between the conduct which becomes the permanent dignity of a king, and that which serves only to promote the temporary interest and miserable ambition of a minister.

You ascended the throne with a declared, and, I doubt not, a sincere resolution of giving universal satisfaction to your subjects.[2] You found them pleased with the novelty of a young prince, whose countenance promised even more than his words, and loyal to you not only from principle, but passion. It was not a cold profession of allegiance to the first magistrate, but a partial, animated attachment to a favourite prince, the native of their country. They did not wait to examine your conduct, nor to be determined by experience, but gave you a generous credit for the future blessings of your reign, and paid you in advance the dearest tribute of their affections. Such, Sir, was once the disposition of a people, who now surround your throne with reproaches and complaints. Do justice to yourself. Banish from your mind those unworthy opinions, with which some interested persons have laboured to possess you. Distrust the men, who tell you that the English are naturally light and inconstant;—that they complain without a cause. Withdraw your confidence equally from all parties, from ministers, favourites, and relations; and let there be one moment in your life, in which you have consulted your own understanding.

When you affectedly renounced the name of Englishman,[3] believe me, Sir, you were persuaded to pay a very ill-judged compliment to one part of your subjects, at the expense of another. While the natives of Scotland are not in actual rebellion, they

[1] The plan of tutelage and future dominion over the heir-apparent, laid many years ago at Carlton-house between the Princess Dowager and her favourite the earl of Bute, was as gross and palpable, as that, which was concerted between Anne of Austria and cardinal Mazarin, to govern Lewis the Fourteenth, and in effect to prolong his minority until the end of their lives. That prince had strong natural parts, and used frequently to blush for his own ignorance and want of education, which had been wilfully neglected by his mother and her minion. A little experience, however, soon showed him how shamefully he had been treated, and for what infamous purposes he had been kept in ignorance. Our great Edward too, at an early period, had sense enough to understand the nature of the connexion between his abandoned mother and the detested Mortimer. But, since that time, human nature, we may observe, is greatly altered for the better. Dowagers may be chaste, and minions may be honest. When it was proposed to settle the present king's household as Prince of Wales, it is well known that the earl of Bute was forced into it, in direct contradiction to the late king's inclination. *That* was the salient point, from which all the mischiefs and disgraces of the present reign took life and motion. From that moment lord Bute never suffered the Prince of Wales to be an instant out of his sight.—We need not look farther.

[2] 'Born and educated in this country, I glory in the name of Briton; and the peculiar happiness of my life will ever consist in promoting the welfare of a people, whose loyalty and warm affection to me, I consider as the greatest and most permanent security of my throne.' Speech of the King, on opening his first parliament, November 18, 1760.—EDIT.

[3] The author here alludes to the application of the word Briton, as used in the quotation from the King's speech, in the preceding note.—See, also, p. 218.—EDIT.

are undoubtedly entitled to protection ; nor do I mean to condemn the policy of giving some encouragement to the novelty of their affections for the house of Hanover. I am ready to hope for every thing from their new-born zeal, and from the future steadiness of their allegiance. But hitherto they have no claim to your favour. To honour them with a determined predilection and confidence, in exclusion of your English subjects, who placed your family, and, in spite of treachery and rebellion, have supported it upon the throne, is a mistake too gross, even for the unsuspecting generosity of youth. In this error we see a capital violation of the most obvious rules of policy and prudence. We trace it, however, to an original bias in your education, and are ready to allow for your inexperience.

To the same early influence we attribute it, that you have descended to take a share not only in the narrow views and interests of particular persons, but in the fatal malignity of their passions. At your accession to the throne, the whole system of government was altered, not from wisdom or deliberation, but because it had been adopted by your predecessor. A little personal motive of pique and resentment was sufficient to remove the ablest servants of the crown ; [1] but it is not in this country, Sir, that such men can be dishonoured by the frowns of a king. They were dismissed, but could not be disgraced. Without entering into a minuter discussion of the merits of the peace, we may observe, in the imprudent hurry with which the first overtures from France were accepted, in the conduct of the negotiation, and terms of the treaty, the strongest marks of that precipitate spirit of concession, with which a certain part of your subjects have been at all times ready to purchase a peace with the natural enemies of this country. On *your* part we are satisfied that every thing was honourable and sincere, and if England was sold to France, we doubt not that your Majesty was equally betrayed. The conditions of the peace were matter of grief and surprise to your subjects, but not the immediate cause of their present discontent.

Hitherto, Sir, you had been sacrificed to the prejudices and passions of others. With what firmness will you bear the mention of your own ?

A man, not very honourably distinguished in the world, commences a formal attack upon your favourite, considering nothing, but how he might best expose his person and principles to detestation, and the national character of his countrymen to contempt. The natives of that country, Sir, are as much distinguished by a peculiar character, as by your Majesty's favour. Like another chosen people, they have been conducted into the land of plenty, where they find themselves effectually marked, and divided from mankind. There is hardly a period, at which the most irregular character may not be redeemed. The mistakes of one sex find a retreat in patriotism ; those of the other, in devotion. Mr Wilkes brought with him into politics the same liberal sentiments, by which his private conduct had been directed, and seemed to think, that, as there are few excesses in which an English gentleman may not be permitted to indulge, the same latitude was allowed him in the choice of his political principles, and in the spirit of maintaining them.—I mean to state, not entirely to defend his conduct. In the earnestness of his zeal, he suffered some unwarrantable insinuations to escape him. He said more than moderate men would justify ; but not enough to entitle him to the honour of your Majesty's personal resentment. The rays of royal indignation, collected upon him, served only to illuminate, and could not consume. Animated by the favour of the people on one side, and heated by persecution on the

[1] One of the first acts of the present reign was to dismiss Mr Legge, because he had some years before refused to yield his interest in Hampshire to a Scotchman recommended by lord Bute. This was the reason publicly assigned by his Lordship.—AUTHOR.

The person here alluded to, was sir Simeon Stuart.—EDIT.

other, his views and sentiments changed with his situation. Hardly serious at first, he is now an enthusiast. The coldest bodies warm with opposition, the hardest sparkle in collision. There is a holy mistaken zeal in politics as well as in religion. By persuading others, we convince ourselves. The passions are engaged, and create a maternal affection in the mind, which forces us to love the cause for which we suffer.—Is this a contention worthy of a king? Are you not sensible how much the meanness of the cause gives an air of ridicule to the serious difficulties into which you have been betrayed? the destruction of one man has been now, for many years, the sole object of your government; and if there can be any thing still more disgraceful, we have seen, for such an object, the utmost influence of the executive power, and every ministerial artifice, exerted without success. Nor can you ever succeed, unless *he* should be imprudent enough to forfeit the protection of those laws to which you owe your crown, or unless your ministers should persuade you to make it a question of force alone, and try the whole strength of government in opposition to the people. The lessons *he* has received from experience, will probably guard him from such excess of folly; and in your Majesty's virtues we find an unquestionable assurance that no illegal violence will be attempted.

Far from suspecting you of so horrible a design, we would attribute the continued violation of the laws, and even this last enormous attack upon the vital principles of the constitution, to an ill-advised, unworthy, personal resentment. From one false step you have been betrayed into another, and as the cause was unworthy of you, your ministers were determined that the prudence of the execution should correspond with the wisdom and dignity of the design. They have reduced you to the necessity of chusing out of a variety of difficulties;—to a situation so unhappy, that you can neither do wrong without ruin, nor right without affliction. These worthy servants have undoubtedly given you many singular proofs of their abilities. Not contented with making Mr Wilkes a man of importance, they have judiciously transferred the question, from the rights and interests of one man, to the most important rights and interests of the people, and forced your subjects, from wishing well to the cause of an individual, to unite with him in their own. Let them proceed as they have begun, and your Majesty need not doubt that the catastrophe will do no dishonour to the conduct of the piece.

The circumstances to which you are reduced, will not admit of a compromise with the English nation. Undecisive, qualifying measures will disgrace your government still more than open violence, and, without satisfying the people, will excite their contempt. They have too much understanding and spirit to accept of an indirect satisfaction for a direct injury. Nothing less than a repeal, as formal as the resolution itself, can heal the wound, which has been given to the constitution,[1] nor will any thing less be accepted. I can readily believe that there is an influence sufficient to recall that pernicious vote. The House of Commons undoubtedly consider their duty to the crown as paramount to all other obligations. To *us* they are only indebted for an accidental existence, and have justly transferred their gratitude from their parents to their benefactors;—from those who gave them birth, to the minister, from whose benevolence they derive the comforts and pleasures of their political life;—who has taken the tenderest care of their infancy, and relieves their necessities without offending their delicacy. But, if it were possible for their integrity to be degraded to a condition so vile and abject, that, compared with it, the present estimation they stand in is a state of honour and respect, consider, Sir, in what manner you will afterwards proceed. Can you conceive that the people of this country will long submit to be governed by so flexible a House of Com-

[1] See note to Letter XLVI., p. 267, in which the repeal of this resolution is distinctly detailed. —EDIT.

mons! It is not in the nature of human society, that any form of government, in such circumstances, can long be preserved. In ours, the general contempt of the people is as fatal as their detestation. Such, I am persuaded, would be the necessary effect of any base concession made by the present House of Commons, and, as a qualifying measure would not be accepted, it remains for you to decide whether you will, at any hazard, support a set of men, who have reduced you to this unhappy dilemma, or whether you will gratify the united wishes of the whole people of England, by dissolving the parliament.

Taking it for granted, as I do very sincerely, that you have personally no design against the constitution, nor any views inconsistent with the good of your subjects, I think you cannot hesitate long upon the choice, which it equally concerns your interest and your honour to adopt. On one side, you hazard the affections of all your English subjects; you relinquish every hope of repose to yourself, and you endanger the establishment of your family for ever. All this you venture for no object whatsoever, or for such an object, as it would be an affront to you to name. Men of sense will examine your conduct with suspicion; while those who are incapable of comprehending to what degree they are injured, afflict you with clamours equally insolent and unmeaning. Supposing it possible that no fatal struggle should ensue, you determine at once to be unhappy, without the hope of a compensation either from interest or ambition. If an English king be hated or despised, he *must* be unhappy; and this perhaps is the only political truth, which he ought to be convinced of without experiment. But if the English people should no longer confine their resentment to a submissive representation of their wrongs; if, following the glorious example of their ancestors, they should no longer appeal to the creature of the constitution, but to that high Being, who gave them the rights of humanity, whose gifts it were sacrilege to surrender, let me ask you, Sir, upon what part of your subjects would you rely for assistance?

The people of Ireland have been uniformly plundered and oppressed. In return, they give you every day fresh marks of their resentment. They despise the miserable governor you have sent them,[1] because he is the creature of lord Bute; nor is it from any natural confusion in their ideas, that they are so ready to confound the original of a king with the disgraceful representation of him.

The distance of the colonies would make it impossible for them to take an active concern in your affairs, if they were as well affected to your government as they once pretended to be to your person. They were ready enough to distinguish between *you* and your ministers. They complained of an act of the legislature, but traced the origin of it no higher than to the servants of the crown: They pleased themselves with the hope that their sovereign, if not favourable to their cause, at least was impartial. The decisive, personal part you took against them, has effectually banished that first distinction from their minds.[2] They consider you as united with your servants against America, and know how to distinguish the sovereign and a venal parliament on one side, from the real sentiments of the English people on the other. Looking forward to independence, they might possibly receive you for their king; but, if ever you retire to America, be assured they will give you such a covenant to

[1] Viscount Townshend, sent over on the plan of being resident governor. The history of his ridiculous administration shall not be lost to the public.—AUTHOR.

This promise the author did not fulfil; but see his Miscellaneous Letter, No. IV., on the appointment of this nobleman to the lord lieutenancy.—EDIT.

[2] In the king's speech of November 8, 1768, it was declared 'That the spirit of faction had broken out afresh in some of the colonies, and, in one of them, proceeded to acts of violence and resistance to the execution of the laws;—that Boston was in a state of disobedience to all law and government, and had proceeded to measures subversive of the constitution, and attended with circumstances, that manifested a disposition to throw off their dependence on Great Britain.'

digest, as the presbytery of Scotland would have been ashamed to offer to Charles the Second. They left their native land in search of freedom, and found it in a desert. Divided as they are into a thousand forms of policy and religion, there is one point in which they all agree :—they equally detest the pageantry of a king, and the supercilious hypocrisy of a bishop.

It is not then from the alienated affections of Ireland or America, that you can reasonably look for assistance ; still less from the people of England, who are actually contending for their rights, and in this great question, are parties against you. You are not, however, destitute of every appearance of support : You have all the Jacobites, Nonjurors, Roman Catholics, and Tories of this country, and all Scotland without exception. Considering from what family you are descended, the choice of your friends has been singularly directed ; and truly, Sir, if you had not lost the Whig interest of England, I should admire your dexterity in turning the hearts of your enemies. Is it possible for you to place any confidence in men, who, before they are faithful to you, must renounce every opinion, and betray every principle, both in church and state, which they inherit from their ancestors, and are confirmed in by their education? whose numbers are so inconsiderable, that they have long since been obliged to give up the principles and language which distinguish them as a party, and to fight under the banners of their enemies? Their zeal begins with hypocrisy, and must conclude in treachery. At first they deceive ; at last they betray.

As to the Scotch, I must suppose your heart and understanding so biassed, from your earliest infancy, in their favour, that nothing less than *your own* misfortunes can undeceive you. You will not accept of the uniform experience of your ancestors ; and when once a man is determined to believe, the very absurdity of the doctrine confirms him in his faith. A bigoted understanding can draw a proof of attachment to the house of Hanover from a notorious zeal for the house of Stuart, and find an earnest of future loyalty in former rebellions. Appearances are however in their favour : so strongly indeed, that one would think they had forgotten that you are their lawful king, and had mistaken you for a pretender to the crown. Let it be admitted then that the Scotch are as sincere in their present professions, as if you were in reality not an Englishman, but a Briton of the North. You would not be the first prince, of their native country, against whom they have rebelled, nor the first whom they have basely betrayed. Have you forgotten, Sir, or has your favourite concealed from you, that part of our history, when the unhappy Charles (and he too had private virtues) fled from the open, avowed indignation of his English subjects, and surrendered himself at discretion to the good faith of his own countrymen. Without looking for support in their affections as subjects, he applied only to their honour as gentlemen, for protection. They received him as they would your Majesty, with bows, and smiles, and falsehood, and kept him until they had settled their bargain with the English parliament ; then basely sold their native king to the vengeance of his enemies. This, Sir, was not the act of a few traitors, but the deliberate treachery of a Scotch parliament, representing the nation. A wise prince might draw from it two lessons of equal utility to himself. On one side he might learn to dread the undisguised resentment of a generous people, who dare openly assert their rights, and who, in a just cause, are ready to meet their sovereign in the field. On the other side, he would be taught to apprehend something far more formidable ;—a fawning treachery, against which no prudence can guard, no courage can defend. The insidious smile upon the cheek would warn him of the canker in the heart.

From the uses to which one part of the army has been too frequently applied,[1]

[1] See Miscellaneous Letter, No. XXIV., in which the author discusses this subject more at large.—EDIT.

you have some reason to expect, that there are no services they would refuse. Here too we trace the partiality of your understanding. You take the sense of the army from the conduct of the guards, with the same justice with which you collect the sense of the people from the representations of the ministry. Your marching regiments, Sir, will not make the guards their example either as soldiers or subjects. They feel and resent, as they ought to do, that invariable, undistinguishing favour with which the guards are treated ;[1] while those gallant troops, by whom every hazardous, every laborious service is performed, are left to perish in garrisons abroad, or pine in quarters at home, neglected and forgotten. If they had no sense of the great original duty they owe their country, their resentment would operate like patriotism, and leave your cause to be defended by those to whom you have lavished the rewards and honours of their profession. The Prætorian bands, enervated and debauched as they were, had still strength enough to awe the Roman populace : but when the distant legions took the alarm, they marched to Rome, and gave away the empire.

On this side then, whichever way you turn your eyes, you see nothing but perplexity and distress. You may determine to support the very ministry who have reduced your affairs to this deplorable situation : you may shelter yourself under the forms of a parliament, and set your people at defiance. But be assured, Sir, that such a resolution would be as imprudent as it would be odious. If it did not immediately shake your establishment, it would rob you of your peace of mind for ever.

On the other, how different is the prospect ! How easy, how safe and honourable is the path before you ! The English nation declare they are grossly injured by their representatives, and solicit your Majesty to exert your lawful prerogative, and give them an opportunity of recalling a trust, which, they find, has been scandalously abused. You are not to be told that the power of the House of Commons is not original, but delegated to them for the welfare of the people, from whom they received it. A question of right arises between the constituent and the representative body. By what authority shall it be decided ? Will your Majesty interfere in a question in which you have properly no immediate concern ?—It would be a step equally odious and unnecessary. Shall the Lords be called upon to determine the rights and privileges of the Commons ?—They cannot do it without a flagrant breach of the constitution. Or will you refer it to the judges ?—They have often told your ancestors, that the law of parliament is above them. What party then remains, but to leave it to the people to determine for themselves ? They alone are injured ; and since there is no superior power, to which the cause can be referred, they alone ought to determine.

I do not mean to perplex you with a tedious argument upon a subject already so discussed that inspiration could hardly throw a new light upon it. There are, however, two points of view, in which it particularly imports your Majesty to consider the late proceedings of the House of Commons. By depriving a subject of his birthright, they have attributed to their own vote an authority equal to an act of the whole legislature ; and, though perhaps

[1] The number of commissioned officers in the guards are to the marching regiments as *one* to eleven ;—the number of regiments given to the guards, compared with those given to the line, is about three to one, at a moderate computation ; consequently the partiality in favour of the guards is as thirty-three to one.—So much for the officers.—The private men have fourpence a day to subsist on ; and five hundred lashes, if they desert. Under this punishment, they frequently expire. With these encouragements, it is supposed, they may be depended upon, whenever a certain person thinks it necessary to butcher his *fellow-subjects*.—AUTHOR.

The impolicy here pointed out has been since acknowledged and acted upon : and the soldier of the present day has no reason to complain either of poverty of income, or severity of discipline.—EDIT.

not with the same motives, have strictly followed the example of the long parliament, which first declared the regal office useless, and soon after, with as little ceremony, dissolved the House of Lords. The same pretended power, which robs an English subject of his birthright, may rob an English king of his crown. In another view, the resolution of the House of Commons, apparently not so dangerous to your Majesty, is still more alarming to your people. Not contented with divesting one man of his right, they have arbitrarily conveyed that right to another. They have set aside a return as illegal, without daring to censure those officers, who were particularly apprized of Mr Wilkes's incapacity not only by the declaration of the House, but expressly by the writ directed to them, and who nevertheless returned him as duly elected. They have rejected the majority of votes, the only criterion by which our laws judge of the sense of the people; they have transferred the right of election from the collective to the representative body; and by these acts, taken separately or together, they have essentially altered the original constitution of the House of Commons. Versed, as your Majesty undoubtedly is, in the English history, it cannot easily escape you, how much it is your interest, as well as your duty, to prevent one of the three estates from encroaching upon the province of the other two, or assuming the authority of them all. When once they have departed from the great constitutional line, by which all their proceedings should be directed, who will answer for their future moderation? Or what assurance will they give you, that, when they have trampled upon their equals, they will submit to a superior? Your Majesty may learn hereafter, how nearly the slave and tyrant are allied.

Some of your council, more candid than the rest, admit the abandoned profligacy of the present House of Commons, but oppose their dissolution upon an opinion, I confess not very unwarrantable, that their successors would be equally at the disposal of the Treasury. I cannot persuade myself that the nation will have profited so little by experience. But if that opinion were well founded, you might then gratify our wishes at an easy rate, and appease the present clamour against your government, without offering any material injury to the favourite cause of corruption.

You have still an honourable part to act. The affections of your subjects may still be recovered. But before you subdue *their* hearts, you must gain a noble victory over your own. Discard those little, personal resentments, which have too long directed your public conduct. Pardon this man the remainder of his punishment; and if resentment still prevails, make it, what it should have been long since, an act, not of mercy, but contempt. He will soon fall back into his natural station,—a silent senator, and hardly supporting the weekly eloquence of a newspaper. The gentle breath of peace would leave him on the surface, neglected and unremoved. It is only the tempest, that lifts him from his place.[1]

[1] It is evident from other passages, as well as the present, that JUNIUS was not, strictly speaking, a partisan of Mr Wilkes, though he was a determined enemy to the decision of the House of Commons with respect to the Middlesex election. Mr Wilkes, previous to the judgment of the Court of King's Bench for two libels, which are more particularly touched upon in the editor's note to Letter XLVI., presented the following address and petition to the King, to neither of which, however, was any answer returned. It is to these documents that JUNIUS alludes in the recommendation given in the foregoing paragraph.

TO THE KING'S MOST EXCELLENT MAJESTY.

SIRE,

I beg to throw myself at your Majesty's feet, and to supplicate that mercy and clemency which shine with such lustre among your many princely virtues.

Some former ministers, whom your Majesty, in condescension to the wishes of your people, thought proper to remove, employed every wicked and deceitful art to oppress your subject, and to revenge their own personal cause on me, whom they imagined to be the principal author of bringing to the public view their ignorance, insufficiency, and treachery to your Majesty and the nation.

Without consulting your minister, call together your whole council. Let it appear to the public that you can determine and act for yourself. Come forward to your people. Lay aside the wretched formalities of a king, and speak to your subjects with the spirit of a man, and in the language of a gentleman. Tell them you have been fatally deceived. The acknowledgment will be no disgrace, but rather an honour to your understanding. Tell them you are determined to remove every cause of complaint against your government; that you will give your confidence to no man, who does not possess the confidence of your subjects; and leave it to themselves to determine, by their conduct at a future election, whether or no it be in reality the general sense of the nation, that their rights have been arbitrarily invaded by the present House of Commons, and the constitution betrayed. They will then do justice to their representatives and to themselves.

These sentiments, Sir, and the style they are conveyed in, may be offensive, perhaps, because they are new to you. Accustomed to the language of courtiers, you measure their affections by the vehemence of their expressions; and, when they only praise you indirectly, you admire their sincerity. But this is not a time to trifle with your fortune. They deceive you, Sir, who tell you that you have many friends, whose affections are founded upon a principle of personal attachment. The first foundation of friendship is not the power of conferring benefits, but the equality with which they are received, and *may* be returned. The fortune, which made you a king, forbade you to have a friend. It is a law of nature which cannot be violated with impunity. The mistaken prince, who looks for friendship, will find a favourite, and in that favourite the ruin of his affairs.

The people of England are loyal to the house of Hanover, not from a vain preference of one family to another, but from a conviction that the establishment of that family was necessary to the support of their civil and religious liberties. This, Sir, is a principle of allegiance equally solid and rational;—fit for Englishmen to adopt, and well worthy of your Majesty's encouragement. We cannot long be deluded by nominal distinctions. The name of Stuart, of itself, is only contemptible;—armed with the sovereign authority, their principles are formidable. The prince who imitates their conduct, should be warned by their example; and while he plumes himself upon the security of his title to the crown, should

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I have been the innocent but unhappy victim of their revenge. I was forced by their injustice and violence into an exile, which I have never ceased for several years to consider as the most cruel oppression, because I no longer could be under the benign protection of your Majesty in the land of liberty.

With a heart full of zeal for the service of your Majesty, and my country, I implore, Sire, your clemency. My only hopes of pardon are founded in the great goodness and benevolence of your Majesty; and every day of freedom you may be graciously pleased to permit me the enjoyment of in my dear native land, shall give proofs of my zeal and attachment to your service.

I am,
SIRE,
Your Majesty's most obedient,
and dutiful subject,
March 4, 1768. JOHN WILKES.

TO THE KING'S MOST EXCELLENT MAJESTY.

The humble Petition of John Wilkes,

SHEWETH,

That your Petitioner, having stood forth in support of the constitutional rights of this kingdom, in opposition to a late violent administration, hath been severely prosecuted at law, and sentenced to pay a heavy fine, and to suffer an imprisonment of twenty-two months; that the unfair methods employed to convict your petitioner have been palpable and manifest; that the petitioner has always been your Majesty's loyal subject, zealously attached to your illustrious house, and will remain the same to the end of his life; that he looks up to the throne only for that protection and justice which eminently distinguish your Majesty's royal character; that your petitioner, with the greatest deference, submits the whole of his case to your Majesty's consideration, and humbly supplicates your royal clemency.

And your Petitioner,
as in duty bound,
shall ever pray.

King's Bench Prison, JOHN WILKES.
Nov. 28, 1768.

remember that, as it was acquired by one revolution, it may be lost by another.[1]

JUNIUS.

LETTER XXXVI.

TO HIS GRACE THE DUKE OF GRAFTON.

My Lord, 14 *Feb.* 1770.

If I were personally your enemy, I might pity and forgive you. You have every claim to compassion, that can arise from misery and distress. The condition you are reduced to would disarm a private enemy of his resentment, and leave no consolation to the most vindictive spirit, but that such an object, as you are, would disgrace the dignity of revenge.[2] But in the relation you have borne to this country, you have no title to indulgence; and if I had followed the dictates of my own opinion, I never should have allowed you the respite of a moment. In your public character, you have injured every subject of the empire; and though an individual is not authorized to forgive the injuries done to society, he is called upon to assert his separate share in the public resentment. I submitted however to the judgment of men, more moderate, perhaps more candid, than myself. For my own part, I do not pretend to understand those prudent forms of decorum, those gentle rules of discretion, which some men endeavour to unite with the conduct of the greatest and most hazardous affairs. Engaged in the defence of an honourable cause, I would take a decisive part.—I should scorn to provide for a future retreat, or to keep terms with a man, who preserves no measures with the public. Neither the abject submission of deserting his post in the hour of danger, nor even the sacred shield of cowardice, should protect him.[3] I would pursue him through life, and try the last exertion of my abilities to preserve the perishable infamy of his name, and make it immortal.

What then, my Lord, is this the event of all the sacrifices you have made to lord Bute's patronage, and to your own unfortunate ambition? Was it for this you abandoned your earliest friendships,—the warmest connexions of your youth, and all those honourable engagements, by which you once solicited, and might have acquired, the esteem of your country? Have you secured no recompense for such a waste of honour?—Unhappy man! what party will receive the common deserter of all parties? Without a client to flatter, without a friend to console you, and with only one companion from the honest house of Bloomsbury, you must now retire into a dreadful solitude. At the most active period of life, you must quit the busy scene, and conceal yourself from the world, if you would hope to save the wretched remains of a ruined reputation. The vices operate like age,—bring on disease before its time, and in the prime of youth leave the character broken and exhausted.

Yet your conduct has been mysterious, as well as contemptible. Where is now that firmness, or obstinacy, so long boasted of by your friends, and acknowledged by your enemies? We were taught to expect, that you would not leave the ruin of this country to be completed by other hands, but were determined either to gain a decisive victory over the constitution, or to

[1] A writer in the Public Advertiser, who employed the signature of Modestus, and is once noticed by Junius himself, and occasionally by him under some one of his auxiliary signatures, published in the same newspaper a counter-epistle to the King, but it does not appear to have attracted much attention. It was the peculiar misfortune of the administration of the period before us, to be more ruined by their own writers than their own misdeeds. The date of this letter of Modestus is Dec. 23, 1769.—Edit.

[2] The duke had now resigned the office of first lord of the Treasury, harassed and worn out by the attacks of lord Chatham and his friends in parliament, and of Junius, and the petitioners and remonstrators from all parts of the country out of parliament. He resigned abruptly, and left the cabinet in some confusion, lord Camden having not long before been compelled to leave the office of lord chancellor, and Mr Charles Yorke, who had been called to succeed him, having killed himself through mere political vexation. The duke of Grafton was succeeded by lord North.—Edit.

[3] ——— *Sacro tremuere timore.* Every coward pretends to be planet-struck.

perish bravely at least behind the last dyke of the prerogative. You knew the danger, and might have been provided for it. You took sufficient time to prepare for a meeting with your parliament, to confirm the mercenary fidelity of your dependants, and to suggest to your sovereign a language suited to his dignity at least, if not to his benevolence and wisdom. Yet, while the whole kingdom was agitated with anxious expectation upon one great point, you meanly evaded the question, and, instead of the explicit firmness and decision of a king, gave us nothing but the misery of a ruined grazier,[1] and the whining piety of a Methodist. We had reason to expect, that notice would have been taken of the petitions which the king has received from the English nation; and although I can conceive some personal motives for not yielding to them, I can find none, in common prudence or decency, for treating them with contempt. Be assured, my Lord, the English people will not tamely submit to this unworthy treatment;—they had a right to be heard, and their petitions, if not granted, deserved to be considered. Whatever be the real views and doctrine of a court, the sovereign should be taught to preserve some forms of attention to his subjects, and if he will not redress their grievances, not to make them a topic of jest and mockery among lords and ladies of the bedchamber. Injuries may be atoned for and forgiven; but insults admit of no compensation. They degrade the mind in its own esteem, and force it to recover its level by revenge. This neglect of the petitions was however a part of your original plan of government, nor will any consequences it has produced account for your deserting your sovereign, in the midst of that distress, in which you and your[2] new friends had involved him. One would think, my Lord, you might have taken this spirited resolution before you had dissolved the last of those early connexions, which once, even in your own opinion, did honour to your youth;—before you had obliged lord Granby to quit a service he was attached to;—before you had discarded one chancellor,[3] and killed another.[4] To what an abject condition have you laboured to reduce the best of princes, when the unhappy man, who yields at last to such personal instance and solicitation, as never can be fairly employed against a subject, feels himself degraded by his compliance, and is unable to survive the disgraceful honours which his gracious sovereign had compelled him to accept! He was a man of spirit, for he had a quick sense of shame, and death has redeemed his character. I know your Grace too well to appeal to your feelings upon this event; but there is another heart, not yet, I hope, quite callous to the touch of humanity, to which it ought to be a dreadful lesson for ever.[5]

Now, my Lord, let us consider the situation to which you have conducted, and in which you have thought it advisable to abandon, your royal master. Whenever the people have complained, and nothing better could be said in defence of the measures of government, it has been the fashion

[1] There was something wonderfully pathetic in the mention of the *horned cattle*.—AUTHOR.

It was with this term that the speech from the throne may be said to have commenced—in allusion to the distemper among the *horned cattle*, a kind of murrain which had prevailed largely on the continent, and to prevent the importation of which into this country, various regulations had been adopted by the privy council during the recess. It was impossible for JUNIUS to refrain from this stroke of pleasantry upon the duke of Grafton, the inditer or composer of the royal speech.

While the speech thus condescended to take notice of the veterinary concerns of the nation, the petitions and remonstrances that had been presented from the City, from Westminster, from Surry, York, and other parts of the kingdom, were purposely disregarded and treated with silent contempt.—EDIT.

[2] The Bedford party.

[3] See note, p. 222. Lord Granby had resigned about the time of the dismission of lord Camden, and for similar reasons.—EDIT.

[4] Honourable Charles Yorke, brother of lord Hardwicke. See the note before referred to.—EDIT.

[5] The most secret particulars of this detestable transaction shall, in due time, be given to the public. The people shall know what kind of man they have to deal with.

to answer us, though not very fairly, with an appeal to the private virtues of our sovereign. 'Has he not, to relieve the people, surrendered a considerable part of his revenue? Has he not made the judges independent, by fixing them in their places for life?'—My Lord, we acknowledge the gracious principle, which gave birth to these concessions, and have nothing to regret, but that it has never been adhered to. At the end of seven years, we are loaded with a debt of above five hundred thousand pounds upon the civil list, and we now see the chancellor of Great Britain tyrannically forced out of his office, not for want of abilities, not for want of integrity, or of attention to his duty, but for delivering his honest opinion in parliament, upon the greatest constitutional question that has arisen since the revolution.[1]—We care not to whose private virtues you appeal; the theory of such a government is falsehood and mockery;—the practice is oppression. You have laboured then (though I confess to no purpose) to rob your master of the only plausible answer that ever was given in defence of his government,—of the opinion, which the people had conceived of his personal honour and integrity.—The duke of Bedford was more moderate than your Grace. He only forced his master to violate a solemn promise made to an individual.[2] But you, my Lord, have successfully extended your advice to every political, every moral engagement, that could bind either the magistrate or the man. The condition of a king is often miserable, but it required your Grace's abilities to make it contemptible.—You will say perhaps that the faithful servants in whose hands you have left him, are able to retrieve his honour, and to support his government. You have publicly declared, even since your resignation, that you approved of their measures, and admired their characters, particularly that of the earl of Sandwich.[3] What a pity it is, that, with all this approbation, you should think it necessary to separate yourself from such amiable companions. You forget, my Lord, that while you are lavish in the praise of men whom you desert, you are publicly opposing your conduct to your opinions, and depriving yourself of the only plausible pretence you had for leaving your sovereign overwhelmed with distress; I call it plausible, for, in truth, there is no reason whatsoever, less than the frowns of your master, that could justify a man of spirit for abandoning his post at a moment so critical and important? It is in vain to evade the question. If you will not speak out, the public have a right to judge from appearances. We are authorized to conclude, that you either differed from your colleagues, whose measures you still affect to defend, or that you thought the administration of the king's affairs no longer tenable. You are at liberty to chuse between the hypocrite and the coward. Your best friends are in doubt which way they shall incline. Your country unites the characters, and gives you credit for them both. For my own part, I see nothing inconsistent in your conduct. You began with betraying the people,—you conclude with betraying the king.

[1] The question here alluded to, was the legality of the vote of the House of Commons, which seated Mr Luttrell for the county of Middlesex. A great debate arose upon this subject in the House of Lords on the opening of the session, January 9, 1770, in which lord Camden expressed his decided disapprobation of the conduct pursued by the Lower House, in the following energetic terms:—'I consider the decision upon that affair, as a direct attack upon the first principles of the constitution; and if, in the judicial exercise of my office, I were to pay any regard to that, or to any other such vote, passed in opposition to the known and established laws of the land, I should look upon myself as a traitor to my trust, and an enemy to my country.'

This public avowal of an opinion, so contrary to the proceedings, if not to the views, of administration, was considered by them as a total defection; and on the 17th of the same month, lord Camden received a message from the secretary of state's office, desiring, in his Majesty's name, that he would deliver up the seals that evening at seven o'clock; which he did accordingly, into his Majesty's own hands.—EDIT.

[2] Mr Stuart Mackenzie.—See the instance referred to in p. 160, note.—EDIT.

[3] Lord Sandwich had been first lord of the Admiralty, and was again nominated to this post in 1771.—EDIT.

In your treatment of particular persons, you have preserved the uniformity of your character. Even Mr Bradshaw declares, that no man was ever so ill used as himself. As to the provision [1] you have made for his family, he was entitled to it by the house he lives in. The successor of one chancellor might well pretend to be the rival of another. It is the breach of private friendship which touches Mr Bradshaw: and to say the truth, when a man of his rank and abilities had taken so active a part in your affairs, he ought not to have been let down at last with a miserable pension of fifteen hundred pounds a year. Colonel Luttrell, Mr Onslow, and governor Burgoyne, were equally engaged with you, and have rather more reason to complain than Mr Bradshaw. These are men, my Lord, whose friendship you should have adhered to on the same principle, on which you deserted lord Rockingham, lord Chatham, lord Camden, and the duke of Portland. We can easily account for your violating your engagements with men of honour, but why should you betray your *natural* connexions? Why separate yourself from lord Sandwich, lord Gower, and Mr Rigby, or leave the three worthy gentlemen above mentioned to shift for themselves? With all the fashionable indulgence of the times, this country does not abound in characters like theirs; and you may find it a difficult matter to recruit the black catalogue of your friends.

The recollection of the royal patent you sold to Mr Hine,[2] obliges me to say a word in defence of a man whom you have taken the most dishonourable means to injure. I do not refer to the sham prosecution which you affected to carry on against him. On that ground, I doubt not he is prepared to meet you with tenfold recrimination, and set you at defiance. The injury you have done him affects his moral character. You knew that the offer to purchase the reversion of a place, which has heretofore been sold under a decree of the court of Chancery, however imprudent in his situation, would no way tend to cover him with that sort of guilt which you wished to fix upon him in the eyes of the world. You laboured then by every species of false suggestion, and even by publishing counterfeit letters, to have it understood, that he had proposed terms of accommodation to you, and had offered to abandon his principles, his party, and his friends. You consulted your own breast for a character of consummate treachery, and gave it to the public for that of Mr Vaughan. I think myself obliged to do this justice to an injured man, because I was deceived by the appearances thrown out by your Grace, and have frequently spoken of his conduct with indignation. If he really be, what I think him, honest, though mistaken, he will be happy in recovering his reputation, though at the expense of his understanding. Here, I see, the matter is likely to rest. Your Grace is afraid to carry on the prosecution. Mr Hine keeps quiet possession of his purchase; and governor Burgoyne, relieved from the apprehension of refunding the money, sits down, for the remainder of his life, INFAMOUS AND CONTENTED.

I believe, my Lord, I may now take my leave of you for ever. You are no longer that resolute minister, who had spirit to support the most violent measures; who compensated for the want of great and good qualities, by a brave determination

[1] A pension of £1500 per annum, insured upon the 4 1-half per cents (he was too cunning to trust to Irish security), for the lives of himself and all his sons. This gentleman, who a very few years ago was clerk to a contractor for forage, and afterwards exalted to a petty post in the war-office, thought it necessary (as soon as he was appointed secretary to the Treasury) to take that great house in Lincoln's-Inn Fields, in which the earl of Northington had resided, while he was lord high chancellor of Great Britain. As to the pension, lord North very solemnly assured the House of Commons, that no pension was ever so well deserved as Mr Bradshaw's. — N. B. Lord Camden and sir Jeffery Amherst are not near so well provided for, and sir Edward Hawke, who saved the state, retires with two thousand pounds a year, on the Irish establishment, from which he in fact receives less than Mr Bradshaw's pension.

[2] This subject is more particularly discussed in Letters XXXIII. and XXXIV.—EDIT.

(which some people admired and relied on) to maintain himself without them. The reputation of obstinacy and perseverance might have supplied the place of all the absent virtues. You have now added the last negative to your character, and meanly confessed that you are destitute of the common spirit of a man. Retire then, my Lord, and hide your blushes from the world; for, with such a load of shame, even BLACK may change its colour. A mind such as yours, in the solitary hours of domestic enjoyment, may still find topics of consolation. You may find it in the memory of violated friendship; in the afflictions of an accomplished prince, whom you have disgraced and deserted, and in the agitations of a great country, driven by *your* councils to the brink of destruction.

The palm of ministerial firmness is now transferred to lord North. He tells us so himself, with the plenitude of the *ore rotundo*;[1] and I am ready enough to believe, that, while he can keep his place, he will not easily be persuaded to resign it. Your Grace was the firm minister of yesterday: Lord North is the firm minister of to-day. To-morrow, perhaps, his Majesty, in his wisdom, may give us a rival for you both. You are too well acquainted with the temper of your late allies, to think it possible that lord North should be permitted to govern this country. If we may believe common fame, they have shown him their superiority already. His Majesty is indeed too gracious to insult his subjects, by chusing his first minister from among the domestics of the duke of Bedford. That would have been too gross an outrage to the three kingdoms. Their purpose, however, is equally answered by pushing forward this unhappy figure,[2] and forcing it to bear the odium of measures, which they in reality direct. Without immediately appearing to govern, they possess the power, and distribute the emoluments, of government as they think proper. They still adhere to the spirit of that calculation, which made Mr Luttrell representative of Middlesex. Far from regretting your retreat, they assure us very gravely, that it increases the real strength of the ministry. According to this way of reasoning, they will probably grow stronger, and more flourishing, every hour they exist; for I think there is hardly a day passes in which some one or other of his Majesty's servants does not leave them to improve by the loss of his assistance. But, alas! their countenances speak a different language. When the members drop off, the main body cannot be insensible of its approaching dissolution. Even the violence of their proceedings is a signal of despair. Like broken tenants, who have had warning to quit the premises, they curse their landlord, destroy the fixtures, throw every thing into confusion, and care not what mischief they do to the estate.

JUNIUS.

LETTER XXXVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *March*, 1770.

I BELIEVE there is no man, however indifferent about the interests of this country, who will not readily confess that the situation, to which we are now reduced, whether it has arisen from the violence of faction, or from an arbitrary system of government, justifies the most melancholy apprehensions, and calls for the exertion of whatever wisdom or vigour is left among us. The king's answer to the remonstrance of the city of London,[3] and the measures

[1] This eloquent person has got as far as the *discipline* of Demosthenes. He constantly speaks with pebbles in his mouth, to improve his articulation.

[2] Those who had the pleasure of being acquainted with the amiable earl of Guildford, here spoken of, or have in any other way duly estimated his virtues, will feel the bitterness of this sarcasm, though they must acknowledge its truth.—EDIT.

[3] The city of London, the city and liberty of Westminster, the counties of Middlesex, Surry, &c., had presented petitions to his Majesty to dissolve the parliament, in consequence of the

since adopted by the ministry, amount to a plain declaration that the principle, on which Mr Luttrell was seated in the House of Commons, is to be supported in all its

illegal rejection of Wilkes by the Lower House, after having been returned for the fourth time as a knight of the shire for the county of Middlesex. These petitions had not been graciously received; and the petitioners next assumed a bolder tone, and approached the throne with *remonstrances* upon the answers that had been returned to them. The remonstrance presented by the city of Westminster is contained in note to Private Letter, No. 22. The remonstrance of the Lord Mayor, Aldermen, and Livery, here referred to, was, after some difficulty, presented to his Majesty, Mar. 14, 1770. For the particulars of this dispute, see Editor's note to Miscellaneous Letter, No. LXX. The following is a copy of the remonstrance, &c.

TO THE KING'S MOST EXCELLENT MAJESTY.

The humble Address, Remonstrance, and Petition, of the Lord Mayor, Aldermen, and Livery of the city of London, in Common Hall assembled.

'*May it please your Majesty*,

'We have already in our petition dutifully represented to your Majesty, the chief injuries we have sustained. We are unwilling to believe that your Majesty can slight the desires of your people, or be regardless of their affection, and deaf to their complaints. Yet their complaints remain unanswered; their injuries are confirmed; and the only judge removeable at the pleasure of the crown, has been dismissed from his high office, for defending in parliament the law and the constitution.

'We, therefore, venture once more to address ourselves to your Majesty, as to the father of your people; as to him who must be both able and willing to redress our grievances; and we repeat our application with the greater propriety, because we see the instruments of our wrongs, who have carried into execution the measures of which we complain, more particularly distinguished by your Majesty's royal bounty and favour.

'Under the same secret and malign influence, which through each successive administration has defeated every good, and suggested every bad intention, the majority of the House of Commons have deprived your people of their dearest rights.

'They have done a deed more ruinous in its consequences than the levying of ship-money by Charles the First; or the dispensing power assumed by James the Second. A deed, which must vitiate all the future proceedings of this parliament, for the acts of the legislature itself can no more be valid without a legal House of Commons, than without a legal prince upon the throne.

'Representatives of the people are essential to the making of laws, and there is a time when it is morally demonstrable, that men cease to be representatives; that time is now arrived: The present House of Commons do not represent the people.

'We owe to your Majesty an obedience under the restrictions of the laws for the calling and duration of parliaments; and your Majesty owes to us, that our representation, free from the force of arms or corruption, should be preserved to us in parliament. It was for this we successfully struggled under James the Second; for this we seated, and have faithfully supported, your Majesty's family on the throne: The people have been invariably uniform in their object, though the different mode of attack has called for a different defence.

'Under James the Second, they complained that the sitting of parliament was interrupted, because it was not corruptly subservient to his designs: We complain now, that the sitting of this parliament is not interrupted, because it is corruptedly subservient to the designs of your Majesty's ministers. Had the parliament, under James the Second been as submissive to his commands, as the parliament is at this day to the dictates of a minister; instead of clamours for its meeting, the nation would have rung, as now, with outcries for its dissolution.

'The forms of the constitution, like those of religion, were not established for the form's sake, but for the substance; and we call GOD and men to witness, that as we do not owe our liberty to those nice and subtle distinctions, which places and pensions and lucrative employments have invented, so neither will we be deprived of it by them; but as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved.

'Since, therefore, the misdeeds of your Majesty's ministers, in violating the freedom of election, and depraving the noble constitution of parliaments, are notorious, as well as subversive of the fundamental laws and liberties of this realm; and since your Majesty, both in honour and justice, is obliged inviolably to preserve them, according to the oath made to GOD and your subjects at your coronation: We your Majesty's remonstrants assure ourselves, that your Majesty will restore the constitutional government and quiet of your people, by dissolving this parliament, and removing those evil ministers for ever from your councils.'

To which His Majesty returned the following answer:

'I shall always be ready to receive the requests, and to listen to the complaints, of my subjects; but it gives me great concern, to find that any of them should have been so far misled, as to offer me an address and remonstrance, the contents of which I cannot but consider as disrespectful to me, injurious to my parliament, and irreconcileable to the principles of the constitution.

'I have ever made the law of the land the rule of my conduct, esteeming it my chief glory to

consequences, and carried to its utmost extent. The same spirit, which violated the freedom of election, now invades the declaration and bill of rights, and threatens

reign over a free people: with this view, I have always been careful, as well to execute faithfully the trust reposed in me, as to avoid even the appearance of invading any of those powers which the constitution has placed in other hands. It is only by persevering in such a conduct, that I can either discharge my own duty, or secure to my subjects the free enjoyment of those rights which my family were called to defend, and, while I act upon these principles, I shall have a right to expect, and I am confident I shall continue to receive, the steady and affectionate support of my people.'

There was at the same time a declaration against the remonstrance, drawn up and subscribed by the aldermen on the ministerial side, and the following address to his Majesty was jointly presented by both Houses of Parliament.

The humble Address of the Right Honourable the Lords Spiritual and Temporal, and Commons, in Parliament assembled, presented to His Majesty on Friday the 23rd day of March, 1770.

'*Most gracious Sovereign,*

'We your Majesty's most dutiful and faithful subjects, the Lords Spiritual and Temporal, and Commons of Great Britain, in parliament assembled, having taken into consideration the address lately presented to your Majesty under the title of 'The humble Address, Remonstrance, and Petition of the Lord Mayor, Aldermen, and Livery of the City of London, in Common Hall assembled,' together with the answer which your Majesty was pleased to make to the same; think ourselves indispensably obliged, upon this occasion, to express to your Majesty the extreme concern and indignation which we feel at finding that an application has been made to your Majesty, in terms so little corresponding with that grateful and affectionate respect which your Majesty is so justly intitled to from all your subjects, at the same time aspersing and calumniating one of the branches of the legislature, and expressly denying the legality of the present parliament, and the validity of its proceedings.

'To present petitions to the throne has at all times been the undoubted right of the subjects of this realm. The free enjoyment of that right was one of the many blessings restored by the Revolution, and continued to us, in its fullest extent, under the princes of your Majesty's illustrious house: And as we are duly sensible of its value and importance, it is with the deepest concern that we now see the exercise of it so grossly perverted, by being applied to the purpose, not of preserving, but of overturning the constitution, and of propagating doctrines, which, if generally adopted, must be fatal to the peace of the kingdom, and which tend to the subversion of all lawful authority.

'Your Majesty, we acknowledge with gratitude, has ever shown the most tender regard to the rights of your people, not only in the exercise of your own power, but in your care to preserve from every degree of infringement or violation the powers intrusted to others. And we beg leave to return your Majesty our unfeigned thanks for the fresh proof you have now given us, of your determination to persevere in your adherence to the principles of the constitution.

'Permit us also to assure your Majesty, that it is with the highest satisfaction we see your Majesty expressing so just a confidence in your people. In whatever unjustifiable excesses some few misguided persons may in this instance have been seduced to join, your Majesty's subjects in general are too sensible of what they owe both to your Majesty and to your illustrious family, ever to be capable of approaching your Majesty with any other sentiments than those of the most entire respect and affection; and they understand too well their own true interests to wish to loosen the bands of obedience to the laws, and of due subordination to lawful authority. We are therefore fully persuaded that your Majesty's people, as well as your parliament, will reject with disdain every insidious suggestion of those ill-designing men, who are in reality undermining the public liberty, under the specious pretence of zeal for its preservation; and that your Majesty's attention to maintain the liberties of your subjects inviolate, which you esteem your chief glory, will, upon every occasion, prove the sure means of strength to your Majesty, and secure to you that zealous and effectual support, which none but a free people can bestow.'

His Majesty's Answer.

'My Lords and Gentlemen, I return you many thanks for this very loyal and dutiful address. It is with great satisfaction that I receive from my parliament so grateful an acknowledgment of my tender regard for the rights of my subjects. Be assured that I shall continue to adhere to the true principles of our excellent constitution; from which I cannot deviate without justly forfeiting the affections of a free people.'

The city in its corporate capacity, however, dissatisfied with his Majesty's reply, and still more so with the notice which had been taken of its remonstrance in parliament, ventured to draw up and present another address and remonstrance, which was done on the ensuing May 23, and ran as follows:

TO THE KING'S MOST EXCELLENT MAJESTY.

The humble Address, Remonstrance, and Petition, of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled.

'*May it please your Majesty,*

'When your Majesty's most faithful subjects, the citizens of London, whose loyalty and affec-

to punish the subject for exercising a privilege, hitherto undisputed, of petitioning the crown. The grievances of the people are aggravated by insults; their complaints

tion has been so often and so effectually proved and experienced by the illustrious house of Brunswick, are labouring under the weight of that displeasure, which your Majesty has been advised to lay upon them, in the answer given from the throne to their late humble application, we feel ourselves constrained with all humility to approach the royal father of his people.

'Conscious, Sire, of the purest sentiments of veneration which they entertain for your Majesty's person, we are deeply concerned that what the law allows, and the constitution teaches, hath been misconstrued into disrespect to your Majesty, by the instruments of that influence which shakes the realm.

'Perplexed and astonished as we are, by the awful sentence of censure, lately passed upon the citizens of London, in your Majesty's answer from the throne, we cannot, without surrendering all that is dear to Englishmen, forbear most humbly to supplicate, that your Majesty will deign to grant a more favourable interpretation to this dutiful though persevering claim to our invaded birthrights; nothing doubting, that the benignity of your Majesty's nature will, to our unspeakable comfort, at length break through all the secret and visible machinations, to which the city of London owes its late severe repulse, and that your kingly justice, and fatherly tenderness, will disclaim the malignant and pernicious advice which suggested the answer we deplore; an advice of most dangerous tendency, in as much as thereby the exercise of the clearest rights of the subject, namely to petition the king for redress of grievances, to complain of the violation of the freedom of election, and to pray dissolution of parliament, to point out mal-practices in administration, and to urge the removal of evil ministers, hath, by the generality of one compendious word, been indiscriminately checked with reprimand; and your Majesty's afflicted citizens of London have heard from the throne itself, that the contents of their humble address, remonstrance, and petition, laying their complaints and injuries at the feet of their sovereign, cannot but be considered by your Majesty, as disrespectful to yourself, injurious to your parliament, and irreconcileable to the principles of the constitution.

'Your Majesty cannot disapprove that we here assert the clearest principles of the constitution, against the insidious attempt of evil counsellors, to perplex, confound, and shake them. We are determined to abide by those rights and liberties, which our forefathers bravely vindicated at the ever-memorable revolution, and which their sons will always resolutely defend: We therefore now renew, at the foot of the throne, our claim to the indispensable right of the subject, a full, free, and unmutilated parliament, legally chosen in all its members: A right, which this House of Commons have manifestly violated, depriving, at their will and pleasure, the county of Middlesex of one of its legal

representatives, and arbitrarily nominating, as a knight of the shire, a person not elected by a majority of the freeholders. As the only constitutional means of reparation now left for the injured electors of Great Britain, we implore, with most urgent supplication, the dissolution of this present parliament, the removal of evil ministers, and the total extinction of that fatal influence which has caused such a national discontent. In the mean time, Sire, we offer our constant prayers to heaven, that your Majesty may reign, as kings can only reign, in and by the hearts of a loyal, dutiful, and free people.'

His Majesty's Answer, delivered the 23rd May, 1770.

'I should have been wanting to the public, as well as to myself, if I had not expressed my dissatisfaction at the late address.

'My sentiments on that subject continue the same, and I should ill deserve to be considered as the father of my people, if I should suffer myself to be prevailed upon to make such an use of my prerogative, as I cannot but think inconsistent with the interest, and dangerous to the constitution, of the kingdom.'

The lord mayor then addressed his Majesty in the following words:

'*Most gracious Sovereign*,

'Will your Majesty be pleased so far to condescend as to permit the mayor of your loyal city of London, to declare in your royal presence, on behalf of his fellow-citizens, how much the bare apprehension of your Majesty's displeasure would at all times affect their minds. The declaration of that displeasure has already filled them with inexpressible anxiety and with the deepest affliction. Permit me, Sire, to assure your Majesty, that your Majesty has not in all your dominions any subjects more faithful, more dutiful, or more affectionate to your Majesty's person and family, or more ready to sacrifice their lives and fortunes in the maintenance of the true honour and dignity of your crown.

'We do therefore, with the greatest humility and submission, most earnestly supplicate your Majesty, that you will not dismiss us from your presence, without expressing a more favourable opinion of your faithful citizens, and without some comfort, without some prospect at least of redress.

'Permit me, Sire, farther to observe, that whoever has already dared, or shall hereafter endeavour, by false insinuations and suggestions, to alienate your Majesty's affections from your loyal subjects in general, and from the city of London in particular, and to withdraw your confidence in, and regard for, your people, is an enemy to your Majesty's person and family, a violator of the public peace, and a betrayer of our happy constitution, as it was established at the glorious revolution.'

not merely disregarded, but checked by authority; and every one of those acts, against which they remonstrated, confirmed by the king's decisive approbation. At such a moment, no honest man will remain silent or inactive. However distinguished by rank or property, in the rights of freedom we are all equal. As we are Englishmen, the least considerable man among us has an interest, equal to the proudest nobleman, in the laws and constitution of his country, and is equally called upon to make a generous contribution in support of them;—whether it be the heart to conceive, the understanding to direct, or the hand to execute. It is a common cause, in which we are all interested, in which we should all be engaged. The man who deserts it at this alarming crisis, is an enemy to his country, and, what I think of infinitely less importance, a traitor to his sovereign. The subject, who is truly loyal to the chief magistrate, will neither advise nor submit to arbitrary measures. The city of London have given an example, which, I doubt not, will be followed by the whole kingdom. The noble spirit of the metropolis is the life-blood of the state, collected at the heart: from that point it circulates, with health and vigour, through every artery of the constitution. The time is come when the body of the English people must assert their own cause: conscious of their strength, and animated by a sense of their duty, they will not surrender their birthright to ministers, parliaments, or kings.

The city of London have expressed their sentiments with freedom and firmness; they have spoken truth boldly; and, in whatever light their remonstrance may be represented by courtiers, I defy the most subtle lawyer in this country to point out a single instance, in which they have exceeded the truth. Even that assertion, which we are told is most offensive to parliament, in the theory of the English constitution, is strictly true. If any part of the representative body be not chosen by the people, that part vitiates and corrupts the whole. If there be a defect in the representation of the people, that power, which alone is equal to the making of laws in this country, is not complete, and the acts of parliament, under that circumstance, are not the acts of a pure and entire legislature. I speak of the theory of our constitution; and whatever difficulties or inconveniences may attend the practice, I am ready to maintain, that, as far as the fact deviates from the principle, so far the practice is vicious and corrupt. I have not heard a question raised upon any other part of the remonstrance. That the principle, on which the Middlesex election was determined, is more pernicious in its effects, than either the levying of ship-money by Charles the First, or the suspending power assumed by his son, will hardly be disputed by any man who understands or wishes well to the English constitution. It is not an act of open violence done by the king, or any direct and palpable breach of the laws attempted by his minister, that can ever endanger the liberties of this country. Against such a king or minister the people would immediately take the alarm, and all parties unite to oppose him. The laws may be grossly violated in particular instances, without any direct attack upon the whole system. Facts of that kind stand alone; they are attributed to necessity, not defended upon principle. We can never be really in danger, until the forms of parliament are made use of to destroy the substance of our civil and political liberties;—until parliament itself betrays its trust, by contributing to establish new principles of government, and employing the very weapons committed to it by the collective body, to stab the constitution.

As for the terms of the remonstrance, I presume it will not be affirmed, by any person less polished than a gentleman usher, that this is a season for compliments. Our gracious king indeed is abundantly civil to himself. Instead of an answer to a

Mr Beckford was at this time lord mayor, and it is this reply which the corporation has had engraven beneath the statue erected to his memory at the West end of Guildhall.—Edit.

petition, his Majesty very gracefully pronounces his own panegyric; and I confess, that, as far as his personal behaviour, or the royal purity of his intentions, is concerned, the truth of those declarations, which the minister has drawn up for his master, cannot decently be disputed. In every other respect, I affirm, that they are absolutely unsupported, either in argument or fact. I must add too, that supposing the speech were otherwise unexceptionable, it is not a direct answer to the petition of the city. His Majesty is pleased to say, that he is always ready to receive the requests of his subjects; yet the sheriffs were twice sent back with an excuse, and it was certainly debated in council, whether or no the magistrates of the city of London should be admitted to an audience. Whether the remonstrance be or be not injurious to parliament, is the very question between the parliament and the people, and such a question as cannot be decided by the assertion of a third party, however respectable. That the petitioning for a dissolution of parliament is irreconcileable with the principles of the constitution is a new doctrine. His Majesty perhaps has not been informed, that the House of Commons themselves have, by a formal resolution, admitted it to be the right of the subject. His Majesty proceeds to assure us that he has made the laws the rule of his conduct.—Was it in ordering or permitting his ministers to apprehend Mr Wilkes by a general warrant? —Was it in suffering his ministers to revive the obsolete maxim of *nullum tempus* to rob the duke of Portland of his property, and thereby give a decisive turn to a county election?[1] Was it in erecting a chamber consultation of surgeons, with authority to examine into and supersede the legal verdict of a jury?[2] Or did his Majesty consult the laws of this country, when he permitted his secretary of state to declare, that whenever the civil magistrate is trifled with, a military force must be sent for, *without the delay of a moment*, and effectually employed?[3] Or was it in the barbarous exactness with which this illegal, inhuman

[1] See Letters LVII. and LXVII. and notes.—EDIT.

[2] See p. 149, note.—EDIT.

[3] Previous to the riot which took place May 10, 1768, as noticed in Miscellaneous Letter, No. XXIV., the following letter was issued by lord Barrington, to which Mr Wilkes wrote an introduction, as noticed in Letter XI., an act which formed a part of the offence for which that gentleman was expelled the House of Commons. Curious as this letter is, it has not been preserved even in the Annual Register.

Copy.

SIR, *St James's, April* 17, 1768.

Having already signified the king's pleasure to the lord-lieutenant of the county in which you reside, with regard to the measures to be taken in general for preserving the peace, at a time that so very riotous a disposition has discovered itself among the common people, I make no doubt but that either some steps have, or will immediately be taken by him on that head; and, I take it for granted, that as chairman of the sessions, you will meet the gentlemen, who act in the commission of the peace for the Borough of Southwark and East Hundred of Brixton, to consult together, and fix upon some plan for securing the public tranquillity against any mischiefs which may happen, should the same indecent spirit of tumult and disorder which has appeared in the city and liberties of Westminster, spread itself to those parts which are within the line of your duty; and though I am persuaded it is unnecessary to suggest to you, or the gentlemen who will meet you, any part of your duty on such an occasion, yet, after the recent alarming instances of riot and confusion, I can't help apprizing you, that much will depend upon the preventive measures which you shall, in conjunction with the other gentlemen in the commission of the peace, take, upon your meeting; and much is expected from the vigilance and activity with which such measures will be carried into execution. When I inform you, that every possible precaution is taken to support the dignity of your office; that upon application from the civil magistrate at the Tower, the Savoy, or the War Office, he will find a military force ready to march to his assistance, and to act according as he shall find it expedient and necessary; I need not add, that if the public peace is not preserved, and if any riotous proceedings, which may happen, are not suppressed, the blame will, most probably, be imputed to a want of prudent and spirited conduct in the civil magistrate. As I have no reason to doubt your caution and discretion in not calling for troops till they are wanted: so, on the other hand, I hope you will not delay a moment calling for their aid, and making use of them effectually, where there is occasion; that occasion always presents itself, when the civil power is trifled with and insulted, nor can a military force ever be employed to a more constitutional purpose, than in support of the authority and dignity of magistracy.—BARRINGTON.

doctrine was carried into execution?—If his Majesty had recollected these facts, I think he would never have said, at least with any reference to the measures of his government, that he had made the laws the rule of his conduct. To talk of preserving the affections, or relying on the support of, his subjects, while he continues to act upon these principles, is indeed paying a compliment to their loyalty, which I hope they have too much spirit and understanding to deserve.

His Majesty, we are told, is not only punctual in the performance of his own duty, but careful not to assume any of those powers which the constitution has placed in other hands. Admitting this last assertion to be strictly true, it is no way to the purpose. The city of London have not desired the king to assume a power placed in other hands. If they had, I should hope to see the person who dared to present such a petition immediately impeached.[1] They solicit their sovereign to exert that constitutional authority, which the laws have vested in him, for the benefit of his subjects. They call upon him to make use of his lawful prerogative in a case, which our laws evidently supposed might happen, since they have provided for it by trusting the sovereign with a discretionary power to dissolve the parliament. This request will, I am confident, be supported by remonstrances from all parts of the kingdom. His Majesty will find at last, that this is the sense of his people, and that it is not his interest to support either ministry or parliament, at the hazard of a breach with the collective body of his subjects.—That he is the king of a free people, is indeed his greatest glory. That he may long continue the king of a free people, is the second wish that animates my heart. The first is, THAT THE PEOPLE MAY BE FREE.[2]

JUNIUS.

P.S. I have, for the greater caution, sent copies of this letter to the members for the Borough, and Mr Pownall. If you should have received no directions from lord Onslow for a meeting, you will consider this as sufficient authority for that purpose.

Daniel Ponton, Esq., Chairman of the Quarter Sessions, Lambeth.—EDIT.

[1] 'When his Majesty had done reading his speech, the lord mayor, &c. had the honour of kissing his Majesty's hand; after which, as they were withdrawing, his Majesty instantly turned round to his courtiers, *and burst out a laughing.* '*Nero fiddled, whilst Rome was burning.*'—JOHN HORNE. AUTHOR.

Mr Horne having furnished the printer of the Public Advertiser with a detail of the proceedings on presenting the address of the 14th of March, concluded it with the whole of the words quoted by JUNIUS as the foregoing note, for which a prosecution was commenced against the printer, but which was not persevered in.

Mr Horne also sent to the printer the particulars which occurred on presenting the remonstrance of the 14th of May at St James's, to which he added as follows:—

N.B. The writer of the above account, having given great offence to some persons by inserting in a former paper, that—*Nero fiddled, whilst Rome was burning*—and an Information having been filed by the attorney-general against the printer in consequence, takes this opportunity to declare, that it was not his intention to falsify an historical fact, or to give offence to better memories; he hopes therefore it will be admitted as a recompence, if he now declares that Nero *did not* fiddle whilst Rome was burning.—EDIT.

[2] As the Letters of JUNIUS have been by some attributed to Mr Dunning, and as the beginning of the third paragraph of that gentleman's answer to the chamberlain of London, on being presented with the freedom of the city, has a striking resemblance to the structure and sentiments with which this letter concludes, the reader will excuse its insertion in this place, though it has no reference to the subject of the letter itself.

'Mr Chamberlain,

'I am to request the favour of you to represent me to the lord mayor, aldermen, and commons of London, as duly sensible of the great, but, I must add, unmerited honour they have done me; for surely, Sir, there is little merit in acting on one's own opinions, and I cannot, with a safe conscience, pretend to any other.

'Convinced as I am, that our happy constitution has given us the most perfect system of government the world has ever seen, and that it is therefore our common interest and duty to oppose every practice, and combat every principle, that tends to impair it, any other conduct than that which the city of London has been pleased to distinguish by its approbation, must, in my own judgment, have rendered me equally unworthy of the office I had then the honour to hold through his Majesty's favour, and of the trust reposed in me as one of the representatives of the people.

'*To discharge faithfully the duties of what-*

LETTER XXXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 3 *April*, 1770.

IN my last letter I offered you my opinion of the truth and propriety of his Majesty's answer to the city of London, considering it merely as the speech of a minister, drawn up in his own defence, and delivered, as usual, by the chief magistrate. I would separate, as much as possible, the king's personal character and behaviour from the acts of the present government. I wish it to be understood that his Majesty had in effect no more concern in the substance of what he said, than sir James Hodges [1] had in the remonstrance, and that as sir James, in virtue of his office, was obliged to speak the sentiments of the people, his Majesty might think himself bound, by the same official obligation, to give a graceful utterance to the sentiments of his minister. The cold formality of a well-repeated lesson, is widely distant from the animated expression of the heart.

This distinction, however, is only true with respect to the measure itself. The consequences of it reach beyond the minister, and materially affect his Majesty's honour. In their own nature they are formidable enough to alarm a man of prudence, and disgraceful enough to afflict a man of spirit. A subject, whose sincere attachment to his Majesty's person and family is founded upon rational principles, will not, in the present conjuncture, be scrupulous of alarming, or even of afflicting, his sovereign. I know there is another sort of loyalty, of which his Majesty has had plentiful experience. When the loyalty of Tories, Jacobites, and Scotchmen, has once taken possession of an unhappy prince, it seldom leaves him without accomplishing his destruction. When the poison of their doctrines has tainted the natural benevolence of his disposition, when their insidious counsels have corrupted the *stamina* of his government, what antidote can restore him to his political health and honour, but the firm sincerity of his English subjects?

It has not been usual in this country, at least since the days of Charles the First, to see the sovereign personally at variance, or engaged in a direct altercation, with his subjects. Acts of grace and indulgence are wisely appropriated to him, and should constantly be performed by himself. He never should appear but in an amiable light to his subjects. Even in France, as long as any ideas of a limited monarchy were thought worth preserving, it was a maxim, that no man should leave the royal presence discontented. They have lost or renounced the moderate principles of their government, and now, when their parliaments venture to remonstrate, the tyrant comes forward, and answers absolutely for himself. The spirit of their present constitution requires that the king should be feared, and the principle, I believe, is tolerably supported by the fact. But, in *our* political system, the theory is at variance with the practice, for the king should be beloved. Measures of greater severity may, indeed, in some circumstances, be necessary; but the minister who advises, should take the execution and odium of them entirely upon himself. He not only betrays his master, but violates the spirit of the English constitution, when he exposes the chief magistrate to the personal hatred

ever situation we are placed in, is among the first objects of honest ambition. To be thought to have done so, I consider as a second. Consequently I cannot but feel a high degree of satisfaction in this testimony of the good opinion of so respectable a body as the citizens of London; and it is no inconsiderable addition to that satisfaction, that it gives me a nearer relation to men who have been usually among the foremost to assert and maintain those legal and constitutional rights which are essential to the general interests of the community.

'I have nothing to add, sir, but my acknowledgments to you for the obliging expressions you have used in executing your commission.

March 27, 1771. J. DUNNING.'—EDIT.

[1] Town-clerk to the city of London, who signed for the corporation the city petition and remonstrance.—EDIT.

or contempt of his subjects. When we speak of the firmness of government, we mean an uniform system of measures, deliberately adopted, and resolutely maintained by the servants of the crown, not a peevish asperity in the language or behaviour of the sovereign. The government of a weak, irresolute monarch, may be wise, moderate, and firm ;—that of an obstinate, capricious prince, on the contrary, may be feeble, undetermined, and relaxed. The reputation of public measures depends upon the minister, who is responsible, not upon the king, whose private opinions are not supposed to have any weight against the advice of his counsel, whose personal authority should therefore never be interposed in public affairs.—This, I believe, is true, constitutional doctrine. But, for a moment, let us suppose it false. Let it be taken for granted, that an occasion may arise, in which a king of England shall be compelled to take upon himself the ungrateful office of rejecting the petitions and censuring the conduct of his subjects ; and let the City remonstrance be supposed to have created so extraordinary an occasion. On this principle, which I presume no friend of administration will dispute, let the wisdom and spirit of the ministry be examined. They advise the king to hazard his dignity, by a positive declaration of his own sentiments ;—they suggest to him a language full of severity and reproach. What follows? When his Majesty had taken so decisive a part in support of his ministry and parliament, he had a right to expect from *them* a reciprocal demonstration of firmness in their own cause, and of zeal for *his* honour. He had reason to expect (and such, I doubt not, were the blustering promises of lord North) that the persons, whom he had been advised to charge with having failed in their respect to him, with having injured parliament, and violated the principles of the constitution, should not have been permitted to escape without some severe marks of the displeasure and vengeance of parliament. As the matter stands, the minister, after placing his sovereign in the most unfavourable light to his subjects, and after attempting to fix the ridicule and odium of his own precipitate measures upon the royal character, leaves him a solitary figure upon the scene, to recall, if he can, or to compensate, by future compliances, for one unhappy demonstration of ill-supported firmness, and ineffectual resentment. As a man of spirit, his Majesty cannot but be sensible, that the lofty terms in which he was persuaded to reprimand the city, when united with the silly conclusion of the business, resemble the pomp of a mock-tragedy, where the most pathetic sentiments, and even the sufferings of the hero, are calculated for derision.

Such has been the boasted firmness and consistency of a minister,[1] whose appearance in the House of Commons was thought essential to the king's service ;—whose presence was to influence every division :—who had a voice to persuade, an eye to penetrate, a gesture to command. The reputation of these great qualities has been fatal to his friends. The little dignity of Mr Ellis has been committed. The mine was sunk ;—combustibles provided, and Welbore Ellis, the Guy Faux of the fable, waited only for the signal of command. All of a sudden the country gentlemen discover how grossly they have been deceived ; —the minister's heart fails him, the grand plot is defeated in a moment, and poor Mr Ellis and his motion taken into custody. From the event of Friday last[2] one would

[1] Lord North. This graceful minister is oddly constructed. His tongue is a little too big for his mouth, and his eyes a great deal too big for their sockets. Every part of his person sets natural proportion at defiance. At this present writing, his head is supposed to be much too heavy for his shoulders.

[2] It was at first intended by the cabinet that the House should be requested to unite with his Majesty in punishing the lord mayor and sheriffs for the insult offered to the sovereign by their petition and remonstrance ; and a vote to this effect was to have been moved by Mr Ellis, afterwards lord Mendip, and in the author's own note called Mannikin, on account of his diminutive stature. But it was subsequently determined to have recourse to less violent proceedings; and the conduct of the metropolitan corporation was, in consequence, merely cen-

imagine that some fatality hung over this gentleman. Whether he makes or suppresses a motion, he is equally sure of his disgrace. But the complexion of the times will suffer no man to be vice-treasurer of Ireland with impunity.[1]

I do not mean to express the smallest anxiety for the minister's reputation. He acts separately for himself, and the most shameful inconsistency may perhaps be no disgrace to him. But when the sovereign, who represents the majesty of the state, appears in person, his dignity should be supported. The occasion should be important;—the plan well considered;—the execution steady and consistent. My zeal for his Majesty's real honour compels me to assert, that it has been too much the system of the present reign, to introduce him personally, either to act for or to defend his servants. They persuade him to do what is properly *their* business, and desert him in the midst of it.[2] Yet this is an inconvenience to which he must for ever be exposed, while he adheres to a ministry divided among themselves, or unequal in credit and ability to the great task they have undertaken. Instead of reserving the interposition of the royal personage, as the last resource of government, their weakness obliges them to apply it to every ordinary occasion, and to render it cheap and common in the opinion of the people. Instead of supporting their master, they look to *him* for support; and for the emolument of remaining one day more in office, care not how much his sacred character is prostituted and dishonoured.

If I thought it possible for this paper to reach the closet, I would venture to appeal at once to his Majesty's judgment. I would ask him, but in the most respectful terms, 'As you are a young man, Sir, who ought to have a life of happiness in prospect,—as you are a husband,—as you are a father, [your filial duties I own have been religiously performed,] is it *bonâ fide* for your interest or your honour to sacrifice your domestic tranquillity, and to live in a perpetual disagreement with your people, merely to preserve such a chain of beings as North, Barrington, Weymouth, Gower, Ellis, Onslow, Rigby, Jerry Dyson, and Sandwich? Their very names are a satire upon all government, and I defy the gravest of your chaplains to read the catalogue without laughing.'

For my own part, Sir, I have always considered addresses from parliament as a fashionable, unmeaning formality. Usurpers, idiots, and tyrants have been successively complimented with almost the same professions of duty and affection. But let us suppose them to mean exactly what they profess. The consequences deserve to be considered. Either the sovereign is a man of high spirit and dangerous ambition, ready to take advantage of the treachery of his parliament, ready to accept of the surrender they make him of the public liberty;—or he is a mild undesigning prince, who, provided they indulge him with a little state and pageantry, would of himself in-

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sured by a vote of the House, and by the preceding address to his Majesty from both Houses, apprizing him of such censure: a measure which was followed by another address from the city, as noticed in note, p. 228.—EDIT.

[1] About this time the courtiers talked of nothing but a bill of pains and penalties against the lord mayor and sheriffs, or impeachment at the least. Little *mannikin Ellis* told the king that, if the business were left to his management, he would engage to do wonders. It was thought very odd that a motion of so much importance should be entrusted to the most contemptible little piece of machinery in the whole kingdom. His honest zeal however was disappointed. The minister took fright, and at the very instant that little Ellis was going to open, sent him an order to sit down. All their magnanimous threats ended in a ridiculous vote of censure, and a still more ridiculous address to the king. This shameful desertion so afflicted the generous mind of George the Third, that he was obliged to live upon potatoes for three weeks, to keep off a malignant fever.—Poor man!—*quis talia fando temperet a lacrymis!*—AUTHOR.

See Private Letter, No. 33.—EDIT.

[2] After a certain person had succeeded in cajoling Mr Yorke, he told the duke of Grafton, with a witty smile, 'My Lord, you may kill the next Percy yourself.'—N.B. He had but that instant wiped the tears away, which overcame Mr Yorke.—EDIT.

tend no mischief. On the first supposition, it must soon be decided by the sword, whether the constitution should be lost or preserved. On the second, a prince no way qualified for the execution of a great and hazardous enterprise, and without any determined object in view, may nevertheless be driven into such desperate measures, as may lead directly to his ruin, or disgrace himself by a shameful fluctuation between the extremes of violence at one moment, and timidity at another. The minister perhaps may have reason to be satisfied with the success of the present hour, and with the profits of his employment. He is the tenant of the day, and has no interest in the inheritance. The sovereign himself is bound by other obligations, and ought to look forward to a superior, a permanent interest. His paternal tenderness should remind him, how many hostages he has given to society. The ties of nature come powerfully in aid of oaths and protestations. The father, who considers his own precarious state of health, and the possible hazard of a long minority, will wish to see the family estate free and unencumbered.[1] What is the dignity of the crown, though it were really maintained ;—what is the honour of parliament supposing it could exist without any foundation of integrity and justice ;—or what is the vain reputation of firmness, even if the scheme of government were uniform and consistent, —compared with the heartfelt affections of the people, with the happiness and security of the royal family, or even with the grateful acclamations of the populace ! Whatever style of contempt may be adopted by ministers or parliaments, no man sincerely despises the voice of the English nation. The House of Commons are only interpreters, whose duty it is to convey the sense of the people faithfully to the crown. If the interpretation be false or imperfect, the constituent powers are called upon to deliver their own sentiments. Their speech is rude, but intelligible ;—their gestures fierce, but full of explanation. Perplexed by sophistries, their honest eloquence rises into action. The first appeal was to the integrity of their representatives ;—the second to the king's justice ;—the last argument of the people, whenever they have recourse to it, will carry more perhaps than persuasion to parliament, or supplication to the throne.

JUNIUS.

[1] Every true friend of the house of Brunswick sees with affliction, how rapidly some of the principal branches of the family have dropped off.

LETTER XXXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 28 *May*, 1770.

WHILE parliament was sitting, it would neither have been safe, nor perhaps quite regular, to offer any opinion to the public upon the justice or wisdom of their proceedings. To pronounce fairly upon their conduct, it was necessary to wait until we could consider, in one view, the beginning, progress, and conclusion of their deliberations. The cause of the public was undertaken and supported by men, whose abilities and united authority, to say nothing of the advantageous ground they stood on, might well be thought sufficient to determine a popular question in favour of the people. Neither was the House of Commons so absolutely engaged in defence of the ministry, or even of their own resolutions, but that *they* might have paid some decent regard to the known disposition of their constituents, and, without any dishonour to their firmness, might have retracted an opinion, too hastily adopted, when they saw the alarm it had created, and how strongly it was opposed by the general sense of the nation. The ministry too would have consulted their own immediate interest, in making some concession satisfactory to the moderate part of the people. Without touching the fact, they might have consented to guard against, or give up, the dangerous principle on which

it was established. In this state of things, I think it was highly improbable at the beginning of the session, that the complaints of the people upon a matter, which, in *their* apprehension at least, immediately affected the life of the constitution, would be treated with as much contempt by their own representatives, and by the House of Lords, as they had been by the other branch of the legislature. Despairing of their integrity, we had a right to expect something from their prudence, and something from their fears. The duke of Grafton certainly did not foresee to what an extent the corruption of a parliament might be carried. He thought, perhaps, that there was still some portion of shame or virtue left in the majority of the House of Commons, or that there was a line in public prostitution beyond which they would scruple to proceed. Had the young man been a little more practised in the world, or had he ventured to measure the characters of other men by his own, he would not have been so easily discouraged.

The prorogation of parliament naturally calls upon us to review their proceedings, and to consider the condition in which they have left the kingdom. I do not question but they have done what is usually called the king's business, much to his Majesty's satisfaction.[1] We have only to lament, that in consequence of a system introduced or revived in the present reign, this kind of merit should be very consistent with the neglect of every duty they owe to the nation. The interval between the opening of the last and the close of the former session was longer than usual.[2] Whatever were the views of the minister, in deferring the meeting of parliament, sufficient time was certainly given to every member of the House of Commons, to look back upon the steps he had taken, and the consequences they had produced. The zeal of party, the violence of personal animosities, and the heat of contention had leisure to subside. From that period, whatever resolution they took was deliberate and prepense. In the preceding session, the dependants of the ministry had affected to believe, that the final determination of the question would have satisfied the nation, or at least put a stop to their complaints; as if the certainty of an evil could diminish the sense of it, or the nature of injustice could be altered by decision. But they found the people of England were in a temper very distant from submission; and, although it was contended that the House of Commons could not themselves reverse a resolution, which had the force and effect of a judicial sentence, there were other constitutional expedients, which would have given a security against any similar attempts for the future. The general proposition, in which the whole country had an interest, might have been reduced to a particular fact, in which Mr Wilkes and Mr Luttrell would alone have been concerned. The House of Lords might interpose;—the king might dissolve the parliament;—or, if every other resource failed, there still lay a grand constitutional writ of error, in behalf of the people, from the decision of one court to the wisdom of the whole legislature. Every one of these remedies has been successively attempted. The people performed *their* part with dignity, spirit, and perseverance. For many months his Majesty heard nothing from his subjects but the language of complaint and resentment;—unhappily for this country, it was the daily triumph of his courtiers that he heard it with an indifference approaching to contempt.

The House of Commons having assumed a power unknown to the constitution, were determined not merely to support it in the single instance in question, but to maintain the doctrine in its utmost extent, and to establish the fact as a precedent in law, to be applied in whatever manner his Majesty's

[1] 'The temper with which you have conducted all your proceedings, has given me great satisfaction.' King's speech on closing the session of parliament, May 29, 1770.—EDIT.

[2] There was no autumnal session this year. Parliament did not meet till January 9, 1769-70. —EDIT.

servants should hereafter think fit. Their proceedings upon this occasion are a strong proof that a decision, in the first instance illegal and unjust, can only be supported by a continuation of falsehood and injustice. To support their former resolutions, they were obliged to violate some of the best known and established rules of the House. In one instance they went so far as to declare, in open defiance of truth and common sense, that it was not the rule of the House to divide a complicated question, at the request of a member.[1] But after trampling upon the laws of the land, it was not wonderful that they should treat the private regulations of their own assembly with equal disregard. The speaker, being young in office, began with pretending ignorance, and ended with deciding for the ministry. We were not surprised at the decision; but he hesitated and blushed at his own baseness,[2] and every man was astonished.[3]

The interest of the public was vigorously supported in the House of Lords. Their right to defend the constitution against any encroachment of the other estates, and the necessity of exerting it at this period, was urged to them with every argument that could be supposed to influence the heart or the understanding. But it soon appeared that they had already taken their part, and were determined to support the House of Commons, not only at the expense of truth and decency, but even by a surrender of their own most important rights. Instead of performing that duty which the constitution expects from them, in return for the dignity and independence of their station, in return for the hereditary share it has given them in the legislature, the majority of them made common cause with the other House in oppressing the people, and established another doctrine as false in itself, and if possible more pernicious to the constitution, than that on which the Middlesex election was determined. By resolving 'that they had no right to impeach a judgment of the House of Commons in any case whatsoever, where that House has a competent jurisdiction,'[4] they in effect gave up that constitu-

[1] This extravagant resolution appears in the votes of the House; but, in the minutes of the committees, the instances of resolutions contrary to law and truth, or of refusals to acknowledge law and truth when proposed to them, are innumerable.—AUTHOR.

The following is a more particular explanation of the fact alluded to:

The House having on the 30th of January, 1770, resolved itself into a committee on the state of the nation, the ensuing declaration was proposed, 'That in the exercise of its jurisdiction, the House ought to judge of elections by the law of the land, and by the custom of parliament, which is part of that law.' This being the first of a string of resolutions that were to lead to a condemnation of the principles on which the determination of the Middlesex election had taken place, it was contended on the part of the ministry that, according to the usage of the House, the entire series could not be divided; to which the speaker having assented, the ministry next moved that the whole of the intended resolutions, except the first, should be omitted, and that the following amendment should be added to it:—'And that the judgment of this House in the case of John Wilkes was agreeable to the law of the land, and fully authorized by the practice of parliament.' This was carried by 224 to 180.—EDIT.

[2] Sir Fletcher Norton was now speaker of the House of Commons. He had commenced his political career as a violent Whig; but for some time past had exhibited the most complete tergiversation, and had been as warm in the cause of Toryism as the warmest of its oldest espousers. He was elected to the chair, January 22, 1770, on the resignation of sir John Cust, through ill health, and who died on the same day that sir Fletcher succeeded him.—EDIT.

[3] When the king first made it a measure of his government to destroy Mr Wilkes, and when for this purpose it was necessary to run down privilege, sir Fletcher Norton, with his usual prostituted effrontery, assured the House of Commons, that he should regard one of their votes no more than a resolution of so many drunken porters. This is the very lawyer, whom Ben Jonson describes in the following lines:

'Gives forked counsel; takes provoking gold,
On either hand, and puts it up.
So wise, so grave, of so perplex'd a tongue.
And *loud* withal, that would not wag, nor scarce
Lie still, without *a fee*.'

[4] A motion similar to that recited in note [1], above, was made by the marquis of Rockingham, in the House of Lords, declaring, 'That the law of the land and the established customs of parliament were the sole rule of determination in all cases of election,' which having been lost, was met by one to the purport of that before

tional check and reciprocal controul of one branch of the legislature over the other, which is perhaps the greatest and most important object provided for by the division of the whole legislative power into three estates; and now, let the judicial decisions of the House of Commons be ever so extravagant, let their declarations of the law be ever so flagrantly false, arbitrary, and oppressive to the subject, the House of Lords have imposed a slavish silence upon themselves;—they cannot interpose,—they cannot protect the subject,—they cannot defend the laws of their country. A concession so extraordinary in itself, so contradictory to the principles of their own institution, cannot but alarm the most unsuspecting mind. We may well conclude, that the Lords would hardly have yielded so much to the other House, without the certainty of a compensation, which can only be made to them at the expense of the people. The arbitrary power they have assumed of imposing fines, and committing during pleasure, will now be exercised in its full extent.[1] The House of Commons are too much in their debt to question or interrupt their proceedings. The crown too, we may be well assured, will lose nothing in this new distribution of power. After declaring, that to petition for a dissolution of parliament is irreconcileable with the principles of the constitution,[2] his Majesty has reason to expect that some extraordinary compliment will be returned to the royal prerogative. The three branches of the legislature seem to treat their separate rights and interests as the Roman Triumvirs did their friends. They reciproeally sacrifice them to the animosities of each other, and establish a detestable union among themselves, upon the ruin of the laws and liberty of the commonwealth.

Through the whole proceedings of the House of Commons in this session, there is an apparent, a palpable consciousness of guilt, which has prevented their daring to assert their own dignity, where it has been immediately and grossly attacked. In the course of doctor Musgrave's examination, he said every thing that can be conceived mortifying to individuals, or offensive to the House. They voted his information frivolous, but they were awed by his firmness and integrity, and sunk under it.[3] The terms in which the sale of a patent to Mr Hine were communicated to the public,[4] naturally called for a parliamentary enquiry. The integrity of the House of Commons was directly impeached; but they had not courage to move in their own vindication, because the enquiry would have been fatal to colonel Burgoyne and the duke of Grafton. When sir George Saville branded them with the name of traitors to their constituents, when the lord mayor, the sheriffs, and Mr Trecothick expressly avowed and maintained every part of the city remonstrance, why did they tamely submit to be insulted? Why did they not immediately expel those refractory members? Conscious of the motives on which they had acted, they pru-

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quoted, which was carried by a large majority; in consequence of which, two most strong and able protests were entered upon the journals of the House, which were signed by no less than forty-two peers. In the last of these, the protesting lords pledged themselves to the public, that they would avail themselves, as far as in them lay, of every right and every power with which the constitution had armed them for the good of the whole, in order to obtain full relief in behalf of the injured electors of Great Britain. —EDIT.

[1] The man who resists and overcomes this iniquitous power, assumed by the Lords, must be supported by the whole people. We have the laws of our side, and want nothing but an intrepid leader. When such a man stands forth, let the nation look to it. It is not *his* cause, but our own.—AUTHOR.

See Private Letters, Nos. 80, 81, and 82, in which Wilkes gives an intimation of an intended attack upon the House of Lords.—EDIT.

[2] See editor's note to Letter XXXVII., p. 228.—EDIT.

[3] The examination of this firm, honest man, is printed for *Almon*. The reader will find it a most curious and a most interesting tract. Doctor Musgrave, with no other support but truth and his own firmness, resisted and overcame the whole House of Commons.—AUTHOR.

For a further account of the transaction referred to, see editor's note to Letter XXIII., p. 188.—EDIT.

[4] See Letter XXXIII.—EDIT.

dently preferred infamy to danger, and were better prepared to meet the contempt than to rouse the indignation of the whole people. Had they expelled those five members,[1] the consequences of the new doctrine of incapacitation would have come immediately home to every man. The truth of it would then have been fairly tried, without any reference to Mr Wilkes's private character, or the dignity of the House, or the obstinacy of one particular county. These topics, I know, have had their weight with men, who affecting a character of moderation, in reality consult nothing but their own immediate ease;—who are weak enough to acquiesce under a flagrant violation of the laws, when it does not directly touch themselves, and care not what injustice is practised upon a man, whose moral character they piously think themselves obliged to condemn. In any other circumstances, the House of Commons must have forfeited all their credit and dignity, if, after such gross provocation, they had permitted those five gentlemen to sit any longer among them. We should then have seen and felt the operation of a precedent, which is represented to be perfectly barren and harmless. But there is a set of men in this country, whose understandings measure the violation of law by the magnitude of the instance, not by the important consequences which flow directly from the principle, and the minister, I presume, did not think it safe to quicken their apprehension too soon. Had Mr Hampden reasoned and acted like the moderate men of these days, instead of hazarding his whole fortune in a law-suit with the crown, he would have quietly paid the twenty shillings demanded of him,—the Stuart family would probably have continued upon the throne, and, at this moment, the imposition of ship-money would have been an acknowledged prerogative of the crown.

What then has been the business of the session, after voting the supplies, and confirming the determination of the Middlesex election? The extraordinary prorogation of the Irish parliament,[2] and the just discontents of that kingdom, have been passed by without notice. Neither the general situation of our colonies, nor that particular distress which forced the inhabitants of Boston to take up arms in their defence, have been thought worthy of a moment's consideration.[3] In the repeal of those acts, which were most offensive to America, the parliament have done every thing but remove the offence. They have relinquish-

[1] The five members alluded to are sir George Saville, Mr Beckford, Mr Townshend, Mr Sawbridge, and Mr Trecothick.—EDIT.

[2] A law had lately passed in the Irish legislature, rendering the Irish parliaments octennial:—prior to this period, they had been of longer duration, and it was against the will of the court that the law was enacted. The parliament that passed it was prorogued immediately afterwards, and then dissolved, under the hope of a more tractable parliament in future. The minister, however, was deceived: for the new parliament objected, shortly after its meeting, to passing the proposed money-bill, in consequence of its having originated in the privy-council, instead of in the House of Commons. Lord Townshend, the lord-lieutenant, on December 2, entered a protest on the journals of the Upper House against the rejection of this bill; and intended to have done the same on the journals of the House of Commons; but the latter would not suffer him.—EDIT.

[3] The different schemes devised for making the colonies amenable to the legislature of Great Britain, are glanced at in note [5] to Letter XII., p. 160. After the repeal of the Stamp Act, it was tried whether the Americans would submit to certain custom-house duties, as upon glass, red-lead, tea, &c. But it was the *principle* itself that was obnoxious to the Americans: and hence this attempt was as strenuously resisted as the former. These latter duties were in consequence all relinquished, excepting that on *tea*. The Americans, however, would not submit to this mortification, which as much infringed upon their principle, as if no part whatever had been relinquished: government nevertheless insisted upon retaining this impost, and the result is well known. Yet hostilities may be said to have commenced in the first instance at Boston, from a private dispute between two or three soldiers quartered there, and a party of rope-makers. The soldiers in this quarrel were joined by their comrades, and even by their officers, and the rope-makers by the inhabitants of the town: in the scuffle that ensued, the officers were struck, the soldiers fired, and several persons in the mob were killed or wounded. Captain Preston, the commanding officer, was afterwards tried but acquitted.—EDIT.

ed the revenue, but judiciously taken care to preserve the contention. It is not pretended that the continuance of the tea duty is to produce any direct benefit whatsoever to the mother country. What is it then but an odious, unprofitable exertion of a speculative right, and fixing a badge of slavery upon the Americans, without service to their masters? But it has pleased God to give us a ministry and a parliament, who are neither to be persuaded by argument, nor instructed by experience.

Lord North, I presume, will not claim an extraordinary merit from any thing he has done this year in the improvement or application of the revenue. A great operation, directed to an important object, though it should fail of success, marks the genius and elevates the character of a minister. A poor contracted understanding deals in little schemes, which dishonour him if they fail, and do him no credit when they succeed. Lord North had fortunately the means in his possession of reducing all the four per cents at once.[1] The failure of his first enterprise in finance is not half so disgraceful to his reputation as a minister, as the enterprise itself is injurious to the public. Instead of striking one decisive blow, which would have cleared the market at once, upon terms proportioned to the price of the four per cents six weeks ago, he has tampered with a pitiful portion of a commodity, which ought never to have been touched but in gross;—he has given notice to the holders of that stock, of a design formed by government to prevail upon them to surrender it by degrees, consequently has warned them to hold up and enhance the price;—so that the plan of reducing the four per cents must either be dropped entirely, or continued with an increasing disadvantage to the public. The minister's sagacity has served to raise the value of the thing he means to purchase, and to sink that of the three per cents, which it is his purpose to sell. In effect, he has contrived to make it the interest of the proprietor of four per cents to sell out and buy three per cents in the market, rather than subscribe his stock upon any terms, that can possibly be offered by government.

The state of the nation leads us naturally to consider the situation of the king. The prorogation of parliament has the effect of a temporary dissolution. The odium of measures adopted by the collective body sits lightly upon the separate members, who composed it. They retire into summer quarters, and rest from the disgraceful labours of the campaign. But as for the sovereign, *it is not so with him.* HE has a permanent existence in this country; HE cannot withdraw himself from the complaints, the discontents, the reproaches of his subjects. They pursue him to his retirement, and invade his domestic happiness, when no address can be obtained from an obsequious parliament to encourage or console him. In other times,

[1] The stock denominated three per cents, had arisen from a loan of two millions raised by government in the 29th of Geo. II., for which a lottery and redeemable annuities at three pounds ten shillings per cent. had been granted and secured. Of the annuities one quarter had been paid off, and the sinking fund, which was charged with the remainder, was at this time so fully capable of liquidating it, that a notice to this effect had been given by an order of the House of Commons, dated April 26, 1770.

In consequence of this flourishing state of the three per cents, into which almost every one was buying, the four per cents had been much forsaken, and had sunk below their level. Lord North, by a small bonus, might have induced all the holders of this stock to have transferred it into three per cents instead of receiving four, which would have been a great relief to the public debt; but, though the minister was open to this conviction, he went to work with a timid hand, and took so much time to complete what he did intend, as to forfeit every advantage he might at first have derived. Instead of making a proposal of this kind to embrace the *whole* of the four per cents, he proposed to convert only two millions and a quarter of them into three per cents, and that the bonus should be a lottery for five hundred thousand pounds, divided into fifty thousand tickets, of which every holder of a hundred pounds capital should be entitled, for this supposed difference of fourteen pounds sterling, to two of such lottery tickets. In the prospect of this scheme the four per cents began to rise at the expense of the three per cents, and the object, so far as regarded pecuniary advantage, was completely frustrated.—EDIT.

the interest of the king and people of England was, as it ought to be, entirely the same. A new system has not only been adopted in fact, but professed upon principle. Ministers are no longer the public servants of the state, but the private domestics of the sovereign. One particular class of men are permitted to call themselves the king's friends,[1] as if the body of the people were the king's enemies; or as if his Majesty looked for a source of consolation in the attachment of a few favourites, against the general contempt and detestation of his subjects. Edward and Richard the Second made the same distinction between the collective body of the people, and a contemptible party who surrounded the throne. The event of their mistaken conduct might have been a warning to their successors. Yet the errors of those princes were not without excuse. They had as many false friends as our present gracious sovereign, and infinitely greater temptation to seduce them. They were neither sober, religious, nor demure. Intoxicated with pleasure, they wasted their inheritance in pursuit of it. Their lives were like a rapid torrent, brilliant in prospect, though useless or dangerous in its course. In the dull, unanimated existence of other princes, we see nothing but a sickly, stagnant water, which taints the atmosphere without fertilizing the soil.—The morality of a king is not to be measured by vulgar rules. His situation is singular. There are faults which do him honour, and virtues that disgrace him. A faultless, insipid equality in his character, is neither capable of vice nor virtue in the extreme; but it secures his submission to those persons, whom he has been accustomed to respect, and makes him a dangerous instrument of *their* ambition. Secluded from the world, attached from his infancy to one set of persons, and one set of ideas, he can neither open his heart to new connexions, nor his mind to better information. A character of this sort is the soil fittest to produce that obstinate bigotry in politics and religion, which begins with a meritorious sacrifice of the understanding, and finally conducts the monarch and the martyr to the block.

At any other period, I doubt not, the scandalous disorders which have been introduced into the government of all the dependencies of the empire, would have roused and engaged the attention of the public. The odious abuse and prostitution of the prerogative at home,—the unconstitutional employment of the military—the arbitrary fines and commitments by the House of Lords, and Court of King's Bench;—the mercy of a chaste and pious Prince extended cheerfully to a wilful murderer, because that murderer is the brother of a common prostitute,[2] would, I think, at any other time, have excited universal indignation.[3] But the daring attack upon the constitution, in the Middlesex election, makes us callous and indifferent to inferior grievances. No man regards an eruption upon the surface, when the noble parts are invaded, and he feels a mortification approaching to his heart. The free election of our representatives in parliament comprehends, because it is, the source and security of every right and privilege of the English nation. The ministry have realized the compendious ideas of Caligula. They know that the liberty, the laws, and property of an Englishman have in truth but

[1] 'An ignorant, mercenary, and servile crew; unanimous in evil, diligent in mischief, variable in principles, constant to flattery, talkers for liberty, but slaves to power;—styling themselves the court party, and the prince's only friends.'—*Davenant*.

[2] Miss Kennedy.

[3] Matthew and Patrick Kennedy had been condemned to suffer death for the murder of John Bigby, a watchman. Their sister, Miss Kennedy, was a prostitute well known to many of the courtiers of the day, and her intercession availed to obtain for them, first a respite, and afterwards a pardon. The widow of Bigby, nevertheless, laid an appeal against the murderers; and a new trial was appointed. The friends of Miss Kennedy, however, bought them off, by a present to the widow of three hundred and fifty pounds; and, in consequence, she desisted from appearing against the prisoners when they were arraigned.—EDIT.

one neck, and that to violate the freedom of election strikes deeply at them all.

JUNIUS.

LETTER XL.

TO LORD NORTH.

My Lord, 22 *Aug.* 1770.

Mr Luttrell's services were the chief support and ornament of the duke of Grafton's administration. The honour of rewarding them was reserved for your Lordship. The duke, it seems, had contracted an obligation he was ashamed to acknowledge, and unable to acquit. You, my Lord, had no scruples. You accepted of the succession with all its incumbrances, and have paid Mr Luttrell his legacy, at the hazard of ruining the estate.

When this accomplished youth declared himself the champion of government, the world was busy in enquiring what honours or emoluments could be a sufficient recompense, to a young man of his rank and fortune, for submitting to mark his entrance into life with the universal contempt and detestation of his country.—His noble father had not been so precipitate.—To vacate his seat in parliament;—to intrude upon a county in which he had no interest or connexion;—to possess himself of another man's right, and to maintain it in defiance of public shame as well as justice, bespoke a degree of zeal or of depravity, which all the favour of a pious prince could hardly requite. I protest, my Lord, there is in this young man's conduct, a strain of prostitution which, for its singularity, I cannot but admire. He has discovered a new line in the human character;—he has degraded even the name of Luttrell, and gratified his father's most sanguine expectations.

The duke of Grafton, with every possible disposition to patronize this kind of merit, was contented with pronouncing colonel Luttrell's panegyric.[1] The gallant spirit, the disinterested zeal of the young adventurer, were echoed through the House of Lords. His Grace repeatedly pledged himself to the House, as an evidence of the purity of his friend Mr Luttrell's intentions;—that he had engaged without any prospect of personal benefit, and that the idea of compensation would mortally offend him.[2] The noble duke could hardly be in earnest; but he had lately quitted his employment, and began to think it necessary to take some care of his reputation. At that very moment the Irish negotiation was probably begun. — Come forward, thou worthy representative of lord Bute, and tell this insulted country, who advised the king to appoint Mr Luttrell ADJUTANT-GENERAL to the army in Ireland. By what management was colonel Cuninghame prevailed on to resign his employment, and the obsequious Gisborne to accept of a pension for the government of Kinsale?[3] Was it an original stipulation with the Princess of Wales, or does he owe his preferment to your Lordship's partiality, or the duke of Bedford's friendship? My Lord, though it may not be possible to trace this measure to its source, we can follow the stream, and warn the country of its approaching destruction. The English nation must be roused, and put upon its guard. Mr Luttrell has already shown us how far he may be trusted, whenever an open attack is to be made upon the liberties of this country. I do not doubt that there is a deliberate plan formed.——Your

[1] At this time he was only lieutenant-colonel. —Edit.

[2] He now says that his great object is the rank of colonel, and that he *will* have it.

[3] This infamous transaction ought to be explained to the public. Colonel Gisborne was quarter-master-general in Ireland. Lord Townshend persuades him to resign to a Scotch officer, one Fraser, and gives him the government of Kinsale.—Colonel Cuninghame was adjutant-general in Ireland. Lord Townshend offers him a pension, to induce him to resign to Luttrell. Cuninghame treats the offer with contempt. What's to be done? poor Gisborne must move once more.—He accepts of a pension of £500 a year, until a government of greater value shall become vacant. Colonel Cuninghame is made governor of Kinsale; and Luttrell, at last, for whom the whole machinery is put in motion, becomes adjutant-general, and in effect takes the command of the army in Ireland.

Lordship best knows by whom ;—the corruption of the legislative body on this side—a military force on the other—and then, *Farewell to England!* It is impossible that any minister shall dare to advise the king to place such a man as Luttrell in the confidential post of adjutant-general, if there were not some secret purpose in view, which only such a man as Luttrell is fit to promote. The insult offered to the army in general is as gross as the outrage intended to the people of England. What! Lieutenant-colonel Luttrell, to be adjutant-general of an army of sixteen thousand men! One would think his Majesty's campaigns at Blackheath and Wimbledon might have taught him better.—I cannot help wishing, general Harvey joy of a colleague, who does so much honour to the employment.—But, my Lord, this measure is too daring to pass unnoticed, too dangerous to be received with indifference or submission. You shall not have time to new-model the Irish army. They will not submit to be garbled by colonel Luttrell. As a mischief to the English constitution (for he is not worth the name of enemy), they already detest him. As a boy, impudently thrust over their heads, they will receive him with indignation and contempt.

—As for you, my Lord, who perhaps are no more than the blind, unhappy instrument of lord Bute and her royal highness the Princess of Wales, be assured that you shall be called upon to answer for the advice which has been given, and either discover your accomplices, or fall a sacrifice to their security.[1]

JUNIUS.

LETTER XLI.

TO THE RIGHT HONOURABLE LORD MANSFIELD.[2]

MY LORD, 14 *November*, 1770.

THE appearance of this letter will attract the curiosity of the public, and command even your Lordship's attention. I am considerably in your debt, and shall endeavour, once for all, to balance the account. Accept of this address, my Lord, as a prologue to more important scenes, in which you will probably be called upon to act or suffer.

You will not question my veracity, when I assure you that it has not been owing to any particular respect for your person that I have abstained from you so long. Besides the distress and danger with which the press is threatened, when your Lordship is

[1] A few days after this letter made its appearance, the writer sent the following article to the Printer of the Public Advertiser, which was inserted according to its date.

INTELLIGENCE EXTRAORDINARY.

Sept. 7, 1770.

COLONEL Luttrell has resigned the post of adjutant-general in Ireland. The necessity of the times had left the minister no alternative, except the sacrifice of this unworthy tool of power, or of himself. The dismission is too ridiculous either to deceive the public, or screen the guilty. Does colonel Luttrell expect to find a shelter from contempt by shunning the rewards of infamy? A character so well established as his own, will render such resources needless. Does the minister console himself with any hopes of crushing the most severe enquiries, because he has meanly rescinded this detestable promotion? The vanity of such dependences may be confirmed before the period of another session. As very few forms concurred to this appointment, except private commissions to a lord-lieutenant, we shall not be surprised at that effrontery which may hereafter deny the whole transaction: It is not, however, lost in ignorance, because the royal fiat had, purposely, delayed its progress through the offices of the secretaries of state. It never, perhaps, was intended that this circumstance should have been made public till the destruction of our rights had been at least more easily to be accomplished than it is at present. Let not this insulted country be for a moment off its guard. To make the blow secure, the dagger that is to wound the constitution will be as much as possible concealed until the instant that it strikes. From the intentions of administration every thing is to be dreaded; their timidity, indeed, as in the present case, may draw a line, which, were they only to consult the violence of inclination, they might resolve to pass, although the track were marked with horror, blood, and desolation.—EDIT.

[2] In the *envelope* to this address, JUNIUS makes the following observation. 'The inclosed, though begun within these few days, has been greatly laboured.' Private Letter, No. 24.—EDIT.

party, and the party is to be judge, I confess I have been deterred by the difficulty of the task. Our language has no term of reproach, the mind has no idea of detestation, which has not already been happily applied to you, and exhausted.—Ample justice has been done by abler pens than mine to the separate merits of your life and character. Let it be *my* humble office to collect the scattered sweets, till their united virtue tortures the sense.

Permit me to begin with paying a just tribute to Scotch sincerity, wherever I find it. I own I am not apt to confide in the professions of gentlemen of that country, and when they smile, I feel an involuntary emotion to guard myself against mischief. With this general opinion of an ancient nation, I always thought it much to your Lordship's honour, that, in your earlier days, you were but little infected with the prudence of your country. You had some original attachments, which you took every proper opportunity to acknowledge. The liberal spirit of youth prevailed over your native discretion. Your zeal in the cause of an unhappy prince was expressed with the sincerity of wine, and some of the solemnities of religion.[1] This, I conceive, is the most amiable point of view, in which your character has appeared. Like an honest man, you took that part in politics which might have been expected from your birth, education, country, and connexions.[2] There was something generous in your attachment to the banished house of Stuart. We lament the mistakes of a good man, and do not begin to detest him until he affects to renounce his principles. Why did you not adhere to that loyalty you once professed? Why did you not follow the example of your worthy brother?[3] With him, you might have shared in the honour of the Pretender's confidence—with him, you might have preserved the integrity of your character, and England, I think, might have spared you without regret.—Your friends will say, perhaps, that although you deserted the fortune of your liege lord, you have adhered firmly to the principles which drove his father from the throne;—that without openly supporting the person, you have done essential service to the cause, and consoled yourself for the loss of a favourite family, by reviving and establishing the maxims of their government. This is the way, in which a Scotchman's understanding corrects the error of his heart.—My Lord, I acknowledge the truth of the defence, and can trace it through all your conduct. I see, through your whole life, one uniform plan to enlarge the power of the crown, at the expense of the liberty of

[1] This man was always a rank Jacobite. Lord Ravensworth produced the most satisfactory evidence of his having frequently drunk the Pretender's health upon his knees.

[2] This statement of lord Mansfield's immediate connexion with the Pretender's secretary has been disputed by some; and the charge advanced by lord Ravensworth of his having drunk the Pretender's health upon his knees was made the subject of an investigation before the Privy Council and the House of Lords, in the year 1753, which terminated in Mr Murray's acquittal, both tribunals declaring the charge to be a foul and disgraceful calumny. That lord Mansfield, however, lay under the public imputation of being of the same blood as the Pretender's secretary is certain; as, in a memorial, [which will be found in Dodington's Diary, p. 441, London edit. 1809,] anonymously addressed to general Hawley, and written for the avowed purpose of procuring the solicitor-general's dismission, he is thus spoken of:—'To have a Scotsman, of a most disaffected family, and allied to the Pretender's *first minister*, consulted in the education of the Prince of Wales, must tend to alarm and disgust the friends of the present royal family.' Dodington, who was intimate with lord Mansfield, then Mr Murray, no where contradicts the supposed connexion; who, nevertheless, it is presumed, would have done so, if the assertion had not been true. Should the reader wish to satisfy himself more particularly upon the subject, he will find it detailed at some length in various parts of the before-named diary.

Mr Murray, when a student in the Temple, was an intimate acquaintance of a Mr Vernon, a rich Jacobite mercer on Ludgate-hill, and the toast above referred to is said to have been frequently drunk in the house of this gentleman, whether Mr Murray were ever present on such occasion or not. Mr Vernon on his death bequeathed to Mr Murray an estate in the counties of Chester and Derby.—EDIT.

[3] Confidential secretary to the late Pretender. This circumstance confirmed the friendship between the brothers.

the subject. To this object, your thoughts, words, and actions have been constantly directed. In contempt or ignorance of the common law of England, you have made it your study to introduce into the court, where you preside, maxims of jurisprudence unknown to Englishmen. The Roman code, the law of nations, and the opinion of foreign civilians, are your perpetual theme;—but who ever heard you mention Magna Charta or the Bill of Rights with approbation or respect? By such treacherous arts, the noble simplicity and free spirit of our Saxon laws were first corrupted. The Norman conquest was not complete, until Norman lawyers had introduced their laws, and reduced slavery to a system.—This one leading principle directs your interpretation of the laws, and accounts for your treatment of juries. It is not in political questions only (for there the courtier might be forgiven), but let the cause be what it may, your understanding is equally on the rack, either to contract the power of the jury, or to mislead their judgment. For the truth of this assertion, I appeal to the doctrine you delivered in lord Grosvenor's cause. An action for criminal conversation being brought by a peer against a prince of the blood,[1] you were daring enough to tell the jury that, in fixing the damages, they were to pay no regard to the quality or fortune of the parties;—that it was a trial between A. and B.—that they were to consider the offence in a moral light only, and give no greater damages to a peer of the realm, than to the meanest mechanic. I shall not attempt to refute a doctrine, which, if it was meant for law, carries falsehood and absurdity upon the face of it; but, if it was meant for a declaration of your political creed, is clear and consistent. Under an arbitrary government, all ranks and distinctions are confounded. The honour of a nobleman is no more considered than the reputation of a peasant, for, with different liveries, they are equally slaves.

Even in matters of private property, we see the same bias and inclination to depart from the decisions of your predecessors,[2] which you certainly ought to receive as evidence of the common law. Instead of those certain, positive rules, by which the judgment of a court of law should invariably be determined, you have fondly introduced your own unsettled notions of equity and substantial justice. Decisions given upon such principles do not alarm the public so much as they ought, because the consequence and tendency of each particular instance is not observed or regarded. In the mean time the practice gains ground; the Court of King's Bench becomes a court of equity, and the judge, instead of consulting strictly the law of the land, refers only to the wisdom of the court, and to the purity of his own conscience. The name of Mr justice Yates will naturally revive in your mind some of those emotions of fear and detestation, with which you always beheld him.[3] That great lawyer, that

[1] The action was brought by lord Grosvenor against the duke of Cumberland, for criminal conversation with lady Grosvenor; and the cause in which lord Mansfield delivered the opinion here charged to him, was tried before his Lordship in the Court of King's Bench, July 5, 1770. The damages were laid at one hundred thousand pounds: the verdict was for ten thousand pounds. The doctrine here justly objected against by JUNIUS, has since been relinquished in our courts of justice, and his own substituted in its stead.—EDIT.

[2] See an instance of the kind alluded to in Private Letter, No. 46, note [2].—EDIT.

[3] Judge Yates, who was now just dead, had twice publicly differed with the chief justice; once about a question of real property, Perrin and Blake; the other time in the famous dispute respecting literary property: with respect to the latter point the House of Lords determined according to his opinion; and he is universally thought by the profession to have been right with respect to the former. Lord Mansfield did not treat his opinions on these subjects with the respect to which they were entitled, nor with the decorum that judicial etiquette usually dictates. Mr Justice Yates, under these unpleasant circumstances, chose, though senior puisne judge of the King's Bench, to take the junior judgeship of the Common Pleas, then vacant, on the promotion of the other judges, in consequence of the resignation of sir Edward Clive. This removal took place May 4, 1770, and sir Joseph Yates died on the succeeding 7th of June.

The following anecdote, if true, is worthy of record, and does him immortal honour. In a

honest man, saw your whole conduct in the light that I do. After years of ineffectual resistance to the pernicious principles introduced by your Lordship, and uniformly supported by your *humble friends* upon the bench, he determined to quit a court, whose proceedings and decisions he could neither assent to with honour, nor oppose with success.

The injustice done to an individual is sometimes of service to the public.[1] Facts are apt to alarm us more than the most dangerous principles. The sufferings and firmness of a printer have roused the public attention. You knew and felt that your conduct would not bear a parliamentary inquiry, and you hoped to escape it by the meanest, the basest sacrifice of dignity and consistency, that ever was made by a great magistrate. Where was your firmness, where was that vindictive spirit, of which we have seen so many examples, when a man, so inconsiderable as Bingley, could force you to confess, in the face of this country, that, for two years together, you had illegally deprived an English subject of his liberty, and that he had triumphed over you at last? Yet I own, my Lord, that yours is not an uncommon character. Women, and men like women, are timid, vindictive, and irresolute. Their passions counteract each other, and make the same creature, at one moment hateful, at another contemptible. I fancy, my Lord, some time will elapse before you venture to commit another Englishman for refusing to answer interrogatories.[2]

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debate which took place in the House of Commons, Dec. 6, 1770, on Mr serjeant Glynn's motion, as noticed in p. 118, Mr alderman Townshend, after other arguments urged in support of it, said, 'I am afraid then that there is too great a vicinity between Westminster-hall and St James's. I suspect, and the people suspect, that their correspondence is too close and intimate. But why do I say it is suspected? it is a known, avowed fact. A late judge, equally remarkable for his knowledge and integrity, was tampered with by administration. He was solicited to favour the crown in certain trials, which were then depending between it and the subject. I hear some desiring me to name the judge, but there is no necessity for it. The fact is known to several members of this House, and if I do not speak truth, let those who can, contradict me. I call upon them to rise, that the public may not be abused—but all are silent, and can as little invalidate what I have said as what I am going to say. This great, this honest judge, being thus solicited in vain, what was now to be done? what was the last resource of baffled injustice? That was learned from a short conversation which passed between him and some friends a little before his death. The last and most powerful engine was applied. A letter was sent him directly from a Great Personage; but as he suspected it to contain something dishonourable, he sent it back unopened. Is not this a subject that deserves enquiry? Ought we not to trace out the adviser of such a daring step, and upon proper conviction bring him to the block? The excellent person who was thus tempted to disgrace and perjure himself, and to betray and ruin his country, could not die in peace, till he had disclosed this scene of iniquity, and warned his fellow-citizens of their danger.' The above extract from Mr alderman Townshend's speech is taken from a report of the debate published in the year 1771, by the late celebrated and much respected Mr W. Woodfall, who added to the speech itself the following N. B. 'Sir Joseph Yates, as will appear in a succeeding speech, was the judge meant by the alderman. When the letter from a Great Personage was mentioned, lord North and the rest of the Treasury-bench stared at one another, but did not utter a single sentence by way of contradiction.'—EDIT.

[1] The oppression of an obscure individual gave birth to the famous *Habeas Corpus* Act of 31 Car. II., which is frequently considered as another Magna Charta of the kingdom. *Blackstone*, 3, 135.

[2] 'Bingley was committed for contempt in not submitting to be examined. He lay in prison two years, until the Crown thought the matter might occasion some serious complaint, and therefore he was let out, in the same contumacious state he had been put in, with all his sins about him, unanointed and unannealed.—There was much coquetry between the court and the attorney-general, about who should undergo the ridicule of letting him escape.'—*Vide another Letter to* ALMON, p. 189.—AUTHOR.

To give the reader a better idea of the fact alluded to, we shall continue the quotation a few lines further than the author, at the period in which he wrote, thought necessary.

'Mr Attorney tried to put it off upon the court, by telling them, upon his being brought up, he had nothing to pray against him. The sagacious and noble lord who presided, smelling a rat, or knowing there was one, was not to be so taken in, and therefore asked, what it was Mr Attorney had to ask of the court; to which Mr Attorney said again, he had merely informed them, that the defendant Bingley was there, and that he should move nothing further about him. After a little pause and a recovery from

The doctrine you have constantly delivered, in cases of libel, is another powerful evidence of a settled plan to contract the legal power of juries, and to draw questions, inseparable from fact, within the *arbitrium* of the court. Here, my Lord, you have fortune of your side. When you invade the province of the jury in matter of libel, you, in effect, attack the liberty of the press, and with a single stroke wound two of your greatest enemies.—In some instances you have succeeded, because jurymen are too often ignorant of their own rights, and too apt to be awed by the authority of a chief justice. In other criminal prosecutions, the malice of the design is confessedly as much the subject of consideration to a jury, as the certainty of the fact. If a different doctrine prevails in the case of libels, why should it not extend to *all* criminal cases?—Why not to capital offences? I see no reason (and I dare say you will agree with me that there is no good one) why the life of the subject should be better protected against you than his liberty or property. Why should you enjoy the full power of pillory, fine, and imprisonment, and not be indulged with hanging or transportation? With your Lordship's fertile genius and merciful disposition, I can conceive such an exercise of the power you have, as could hardly be aggravated by that which you have not.[1]

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the inertness of this answer, the chief at last let him know, that if he moved nothing, nothing could be done, and every thing would remain as it was, the consequence of which was, that the defendant would still be in custody; the court never acted from itself, but upon motion from without. Mr Attorney, finding it was in vain to be wasting more time about who should do what was agreed to be done, in a very manly manner, took the thing upon himself, and said, then I move that he may be discharged. And thus ended, in this pitiful manner, this paltry business.' For a further account of this transaction, see note, p. 145.—EDIT.

[1] The declaratory act upon this subject brought forwards and carried through the legislature by the indefatigable exertions of the late Mr Fox, and which, were there no other monument to immortalize his memory, would alone be sufficient to transmit it to the latest posterity, has at length completely settled this point, and given to the jury beyond all controversy on the part of the court, the full power of judging of the law as well as of the fact; of the intention as well as of the exterior act.

The full value of this interference of Mr Fox's can only be known by comparing it with the result of a similar attempt made by Mr Dowdeswell in 1771, as extracted from the Public Advertiser for March 13.

'The following is the motion made by Mr Dowdeswell in a great assembly and rejected: "Whereas doubts and controversies have arisen at various times concerning the right of jurors to try the whole matter laid in indictments and informations for seditious and other libels; and whereas trials by juries would be of none or imperfect effect, if the jurors were not held to be competent to try the whole matter aforesaid; For settling and clearing such doubts and controversies, and for securing to the subject the effectual and complete benefit of trial by juries in such indictments and informations: Be it enacted, &c. That jurors duly impannelled and sworn to try the issue between the king and the defendant upon any indictment or information for a seditious libel, or a libel under any other denomination or description, shall be held and reputed competent to all intents and purposes, in law and in right, to try every part of the matter laid or charged in said indictment or information, comprehending the criminal intention of the defendant and the civil tendency of the libel charged, as well as the mere fact of the publication thereof, and the application by innuendo of blanks, initial letters, pictures, and other devices; any opinion, question, ambiguity, or doubt to the contrary notwithstanding."

'Mr Dowdeswell observed that as *doubts* had arose in the people's minds respecting the power of juries in the cases of libels; to remove those *doubts*, he should propose an *Enacting Bill*, to give to juries a power to try the whole matter in issue; that is, to determine whether the paper or book charged with being a libel be so or not: but that if gentlemen liked a *Declaratory Bill* better, he had left the matter open. He paid some compliments to lord Mansfield, and read his *Enacting Bill*. Mr Burke spoke in support of the Enacting Bill. [His speech is given at length in Vol. X. p. 109 of the 8vo edition of his works. In a letter which follows the speech, and intended for the Public Advertiser, he denies, as stated in that paper, having praised lord Mansfield.]

'Mr James Grenville, jun. spoke for a declaratory bill; as did Mr Calcraft, Mr Aubrey, and Colonel Barré. Sir George Savile, Mr T. Townshend, Mr R. H. Coxe, and Mr Dunning spoke in favour of the motion.

'These last gentlemen severally urged the necessity of settling this matter beyond doubt or controversy; because it did appear, from a late paper given by lord Mansfield to the House of Lords, that it was the opinion of all the judges of the King's Bench, that the jury should determine only the FACT, and the LAW should be left to the judges; but this was not only the opinion of the judges, but that, in a former

But, my Lord, since you have laboured (and not unsuccessfully) to destroy the substance *of the trial*, why should you suffer the form of the *verdict* to remain? Why force twelve honest men, in palpable violation of their oaths, to pronounce their fellow-subject a *guilty* man, when, almost at the same moment, you forbid their enquiring into the only circumstance which, in the eye of law and reason, constitutes guilt—the malignity or innocence of his intentions?—But I understand your Lordship.—If you could succeed in making the trial by jury useless and ridiculous, you might then with greater safety introduce a bill into parliament for enlarging the jurisdiction of the court, and extending your favourite trial by interrogatories to every question, in which the life or liberty of an Englishman is concerned.[1]

Your charge to the jury, in the prosecution against Almon and Woodfall, contradicts the highest legal authorities, as well as the plainest dictates of reason.[2] In Miller's cause, and still more expressly in that of Baldwin,[3] you have proceeded a step further, and grossly contradicted yourself.—You may know perhaps, though I do not mean to insult you by an appeal to your experience, that the language of truth is uniform and consistent. To depart from it safely, requires memory and discretion. In the two last trials, your charge to the jury began, as usual, with assuring them

debate, all the ministerial lawyers and leaders had supported the same; that the doctrine was dangerous in the highest degree, as encroaching on the palladium of English liberty, the trial by jury, as leaving the essence of the cause to the determination of *interested* men, *the judges;* that this doctrine, now adopted by the judges, was not of older date than the reign of Queen Anne. In Queen Elizabeth's reign there was a remarkable case, which showed the contrary to be the opinion then (an indictment of a grand jury at Lincoln, which found a *true Bill* as to the *fact*, but no true Bill as to the *malice*, &c. This the judges, at that time, determined to be no true Bill; by which they determined, that the jury were judges of the law, as well as the fact); that in the famous case of the bishops, in the reign of James the Second, the judges, though made for the purpose, unanimously concurred in directing the jury to judge of the *whole* of the information, as well the *law* as the *fact;* that whenever the jury had thought proper to dispute the affair with the judges, the jury had always got the better; and that a law establishing this doctrine would put an end to this dispute.

'The ministry did not say one single word in the dispute, but the debate was taken up by the gentlemen of the minority. Capt. Phipps spoke very well, and with great spirit. Sir William Meredith spoke extremely well; Mr James Grenville, jun., spoke inimitably well for his first essay; Mr Popham, and others. There was not one of them who did not establish the doctrine that juries are judges of *law* as well as *fact*, but disapproved of the present motion for various reasons.

'That the doctrine, being established on the foundation of the common law, did not require the assistance of the statute law to defend it. That if a bill of this nature was brought into the House, and afterwards rejected, it might have very bad effects on the minds of the people, as it might be supposed that the doctrine was *doubtful*. That an *enacting* law would make it appear, that this was a *novel* doctrine, which few in the House could concur in; and that if made *declaratory* only, the judges who had acted on principles contrary to such declaration, would be liable to condign punishment, which the friends of the motion did not seem to wish.

'For these reasons the numbers were, 218 for adjourning, 72 against it.'

Mr Fox himself was not fortunate in his first attempt: but he determined to persevere till he had succeeded. He lost his bill in the Upper House in 1791, but accomplished his purpose in the spring of the ensuing year, notwithstanding the joint opposition of the law lords, Thurlow, Kenyon, and Bathurst. The venerable Camden supported the bill with an animation and energy well worthy of his own honest heart, and of the importance of the principle it endeavoured to establish, and may be said to have finished the glorious career of his political life, with the vote he gave on this illustrious occasion; seldom possessing sufficient health to attend parliament afterwards, and expiring on April 18, 1794.—EDIT.

[1] 'The philosophical poet doth notably describe the damnable and damned proceedings of the Judge of Hell:

'Gnossius hic Rhadamanthus habet durissima regna,
'Castigatque, auditque dolos, *subigitque fateri.*

First he punisheth, and *then* he heareth; and lastly compelleth to confess, and makes and mars laws at his pleasure; like as the Centurion, in the holy history, did to St Paul, for the text saith, *Centurio apprehendi Paulum jussit, et se catenis ligari, et* tunc INTERROGABAT, *quis fuisset, et quid fecisset;* but good judges and justices abhor these courses.' *Coke 2. Inst.* 55.

[2] See this subject further enlarged upon in the Preface, p. 117.—EDIT.

[3] All the persons here named were prosecuted for publishing the Letter to the King, No. XXXV.—EDIT.

that they had nothing to do with the law,—that they were to find the bare fact, and not concern themselves about the legal inferences drawn from it, or the degree of the defendant's guilt.—Thus far you were consistent with your former practice.—But how will you account for the conclusion? You told the jury that, 'if, after all, they would take upon themselves to determine the law, *they might do it*, but they must be very sure that they determined according to law, for it touched their consciences, and they acted at their peril.'—If I understand your first proposition, you meant to affirm, that the jury were not competent judges of the law in the criminal case of a libel—that it did not fall within *their* jurisdiction; and that, with respect to *them*, the malice or innocence of the defendant's intentions would be a question *coram non judice*.—But the second proposition clears away your own difficulties, and restores the jury to all their judicial capacities. You make the competence of the court to depend upon the legality of the decision.[1] In the first instance, you deny the power absolutely. In the second, you admit the power, provided it be legally exercised. Now, my Lord, without pretending to reconcile the distinctions of Westminster-hall with the simple information of common sense, or the integrity of fair argument, I shall be understood by your Lordship, when I assert that, if a jury or any other court of judicature (for jurors are judges) have no right to entertain a cause, or question at law, it signifies nothing whether their decision be or be not according to law. Their decision is in itself a mere nullity; the parties are not bound to submit to it; and, if the jury run any risque of punishment, it is not for pronouncing a corrupt or illegal verdict, but for the illegality of meddling with a point, on which they have no legal authority to decide.[2]

I cannot quit this subject without reminding your Lordship of the name of Mr Benson. Without offering any legal objection, you ordered a special juryman to be set aside in a cause, where the king was prosecutor. The novelty of the fact required explanation. Will you condescend to tell the world by what law or custom you were authorized to make a peremptory challenge of a juryman? The parties indeed have this power, and perhaps your Lordship, having accustomed yourself to unite the characters of judge and party, may claim it in virtue of the new capacity you have assumed, and profit by your own wrong. The time, within which you might have been punished for this daring attempt to pack a jury, is, I fear, elapsed; but no length of time shall erase the record of it.[3]

The mischiefs you have done this country, are not confined to your interpretation of the laws. You are a minister, my Lord, and, as such, have long been consulted. Let us candidly examine what use you have made of your ministerial influence. I will not descend to little matters, but come at once to those important points, on which your resolution was waited for, on which the expectation of your opinion kept a great part of the nation in suspense.—A constitutional question arises upon a declaration of the law of parliament, by which the freedom of election and the birthright of the subject were supposed to have been invaded.—The king's servants are accused of violating the constitution.—The nation is in a ferment.—The ablest men of all parties engage in the question, and exert their utmost abilities in the discussion of it.—What

[1] Directly the reverse of the doctrine he constantly maintained in the House of Lords and elsewhere, upon the decision of the Middlesex election. He invariably asserted that the decision must be *legal*, because the court was *competent*; and never could be prevailed on to enter further into the question.

[2] These iniquitous prosecutions cost the best of princes six thousand pounds, and ended in the total defeat and disgrace of the prosecutors. In the course of one of them, Judge Aston had the unparalleled impudence to tell Mr Morris (a gentleman of unquestionable honour and integrity, and who was then giving his evidence on oath) that *he should pay very little regard to any affidavit he should make*.

[3] See this circumstance further explained in Letters LXI. and LXIII.—EDIT.

part has the honest lord Mansfield acted? As an eminent judge of the law, his opinion would have been respected.—As a peer, he had a right to demand an audience of his sovereign, and inform him that his ministers were pursuing unconstitutional measures.—Upon other occasions, my Lord, you have no difficulty in finding your way into the closet. The pretended neutrality of belonging to no party, will not save your reputation. In questions merely political, an honest man may stand neuter. But the laws and constitution are the general property of the subject;—not to defend is to relinquish;—and who is there so senseless as to renounce his share in a common benefit, unless he hopes to profit by a new division of the spoil. As a lord of parliament, you were repeatedly called upon to condemn or defend the new law declared by the House of Commons. You affected to have scruples, and every expedient was attempted to remove them.—The question was proposed and urged to you in a thousand different shapes.—Your prudence still supplied you with evasion;—your resolution was invincible. For my own part, I am not anxious to penetrate this solemn secret. I care not to whose wisdom it is intrusted, nor how soon you carry it with you to your grave.[1] You have betrayed your opinion by the very care you have taken to conceal it. It is not from lord Mansfield that we expect any reserve in declaring his real sentiments in favour of government, or in opposition to the people; nor is it difficult to account for the motions of a timid, dishonest heart, which neither has virtue enough to acknowledge truth, nor courage to contradict it.—Yet you continue to support an administration which you know is universally odious, and which, on some occasions, you yourself speak of with contempt. You would fain be thought to take no share in government, while, in reality, you are the main-spring of the machine.—Here too we trace the *little*, prudential policy of a Scotchman.—Instead of acting that open, generous part, which becomes your rank and station, you meanly skulk into the closet, and give your sovereign such advice, as you have not spirit to avow or defend. You secretly engross the power, while you decline the title of minister; and though you dare not be chancellor, you know how to secure the emoluments of the office.—Are the seals to be for ever in commission, that you may enjoy five thousand pounds a year?—I beg pardon, my Lord;[2]— your fears have interposed at last, and forced you to resign.—The odium of continuing speaker of the House of Lords, upon such terms, was too formidable to be resisted. What a multitude of bad passions are forced to submit to a constitutional infirmity! But though you have relinquished the salary, you still assume the rights of a minister.—Your conduct, it seems, must be defended in parliament.—For what other purpose is your wretched friend, that miserable serjeant, posted to the House of Commons? Is it in the abilities of Mr Leigh to defend the great lord Mansfield?—Or is he only the punch of the puppet-show, to speak as he is prompted by the CHIEF JUGGLER behind the curtain?[3]

In public affairs, my Lord, cunning, let it be ever so well wrought, will not conduct a man honourably through life.[4] Like bad money, it may be current for a time, but it will soon be cried down. It cannot consist with a liberal spirit, though it be sometimes

[1] He said in the House of Lords, that he believed he should carry his opinion with him to the grave. It was afterwards reported that he had intrusted it, in special confidence, to the ingenious duke of Cumberland.

[2] Upon the death of Charles Yorke, who, as has been already observed, cut his throat almost immediately on his appointment to the chancellorship, the great seal was held in commission by sir Sydney Stafford Smythe, the hon. Henry Bathurst, and sir Richard Aston; while lord Mansfield was appointed speaker of the Upper House, and received the fees attached to that important situation. Lord Apsley, about the date of this letter, succeeded to both offices.—EDIT.

[3] This paragraph gagged poor *Leigh*. I really am concerned for the man, and wish it were possible to open his mouth.—He is a very pretty orator.

[4] See Private Letter, No. 44.—EDIT.

united with extraordinary qualifications. When I acknowledge your abilities, you may believe I am sincere. I feel for human nature, when I see a man, so gifted as you are, descend to such vile practice.—Yet do not suffer your vanity to console you too soon. Believe me, my good Lord, you are not admired in the same degree in which you are detested. It is only the partiality of your friends, that balances the defects of your heart with the superiority of your understanding. No learned man, even among your own tribe, thinks you qualified to preside in a court of common law. Yet it is confessed that, under *Justinian*, you might have made an incomparable *Prætor*. —It is remarkable enough, but I hope not ominous, that the laws you understand best, and the judges you affect to admire most, flourished in the decline of a great empire, and are supposed to have contributed to its fall.

Here, my Lord, it may be proper for us to pause together.—It is not for my own sake that I wish you to consider the delicacy of your situation. Beware how you indulge the first emotions of your resentment. This paper is delivered to the world, and cannot be recalled! The persecution of an innocent printer cannot alter facts, nor refute arguments.—Do not furnish me with farther materials against yourself.—An honest man, like the true religion, appeals to the understanding, or modestly confides in the internal evidence of his conscience. The impostor employs force instead of argument, imposes silence where he cannot convince, and propagates his character by the sword.

JUNIUS.

LETTER XLII.[1]

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *January* 30, 1771.

IF we recollect in what manner the *King's friends* have been constantly employed, we shall have no reason to be surprised at any condition of disgrace, to which the once respected name of Englishmen may be degraded. His Majesty has no cares, but such as concern the laws and constitution of this country. In his royal breast there is no room left for resentment, no place for hostile sentiments against the natural enemies of his crown. The system of government is uniform.—Violence and oppression at home can only be supported by treachery and submission abroad. When the civil rights of the people are daringly invaded on one side, what have we to expect, but that their political rights should be deserted and betrayed, in the same proportion, on the other? The plan of domestic policy, which has been invariably pursued, from the moment of his present Majesty's accession, engrosses all the attention of his servants. They know that the security of their places depends upon their maintaining, at any hazard, the secret system of the closet. A foreign war might embarrass, an unfavourable event might ruin the minister, and defeat the deep-laid scheme of policy, to which he and his associates owe their employments. Rather than suffer the execution of that scheme to be delayed or interrupted, the king has been advised to make a public surrender, a solemn sacrifice, in the face of all Europe, not only of the interests of his subjects, but of his own personal reputation, and of the dignity of that crown, which his predecessors have worn with honour. These are strong terms, Sir, but they are supported by fact and argument.

The king of Great Britain had been for some years in possession of an island,[2] to which, as the ministry themselves have repeatedly asserted, the Spaniards had no claim of right. The importance of the place is not in question. If it were, a better judgment might be formed of it

[1] 'This paper is extremely well printed, and has a great effect.' Private Letter, No. 29. Date, Jan. 31, 1771.—EDIT.

[2] Falkland, or the Great Malouine Island. See a brief statement of the whole dispute in a note to Miscellaneous Letter, No. LXXXVIII. —EDIT.

from the opinions of lord Anson and lord Egmont, and from the anxiety of the Spaniards, than from any fallacious insinuations thrown out by men, whose interest it is to undervalue that property, which they are determined to relinquish. The pretensions of Spain were a subject of negotiation between the two courts. They had been discussed, but not admitted. The king of Spain, in these circumstances, bids adieu to amicable negotiation, and appeals directly to the sword. The expedition against Port Egmont does not appear to have been a sudden ill-concerted enterprise. It seems to have been conducted not only with the usual military precautions, but in all the forms and ceremonies of war. A frigate was first employed to examine the strength of the place. A message was then sent, demanding immediate possession, in the Catholic king's name, and ordering our people to depart. At last a military force appears, and compels the garrison to surrender. A formal capitulation ensues, and his Majesty's ship, which might at least have been permitted to bring home his troops immediately, is detained in port twenty days, and her rudder forcibly taken away. This train of facts carries no appearance of the rashness or violence of a Spanish governor. On the contrary, the whole plan seems to have been formed and executed, in consequence of deliberate orders, and a regular instruction from the Spanish court. Mr Bucarelli is not a pirate, nor has he been treated as such by those who employed him.[1] I feel for the honour of a gentleman, when I affirm that our king owes him a signal reparation.—Where will the humiliation of this country end! A king of Great Britain, not contented with placing himself upon a level with a Spanish governor, descends so low as to do a notorious injustice to that governor. As a salvo for his own reputation, he has been advised to traduce the character of a brave officer, and to treat him as a common robber, when he knew with certainty that Mr Bucarelli had acted in obedience to his orders, and had done no more than his duty. Thus it happens in private life, with a man who has no spirit nor sense of honour.—One of his equals orders a servant to strike him.—Instead of returning the blow to the master, his courage is contented with throwing an aspersion, equally false and public, upon the character of the servant.

This short recapitulation was necessary to introduce the consideration of his Majesty's speech, of 13th November, 1770, and the subsequent measures of government. The excessive caution with which the speech was drawn up, had impressed upon me an early conviction, that no serious resentment was thought of, and that the conclusion of the business, whenever it happened, must, in some degree, be dishonourable to England. There appears through the whole speech, a guard and reserve in the choice of expression, which shows how careful the ministry were not to embarrass their future projects by any firm or spirited declaration from the throne. When all hopes of peace are lost, his Majesty tells his parliament, that he is preparing,—not for barbarous war, but (with all his mother's softness[2]) *for a different situation.*—An open act of hostility, authorized by the Catholic king, is called *an act of a governor.* This act, to avoid the mention of a regular siege and surrender, passes under the piratical description of *seizing by force;* and the thing taken is described, not as a part of the king's territory or proper dominion, but merely as a *possession*, a word expressly chosen in contradistinction to, and exclusion of, the idea of *right*, and to prepare us for a future surrender both of the right and of the possession. Yet this speech, Sir, cautious and equivocal as it is, cannot, by any sophistry, be accommodated to the measures which have since been

[1] The governor of Buenos Ayres, under whose directions the expedition, sent to take possession of Port Egmont, was forwarded; and who, it was well known, did not act without authority. —EDIT.

[2] Alluding to the vulgar report of the day, that the Princess Dowager of Wales had interfered in the Spanish negotiation.—EDIT.

adopted. It seemed to promise, that whatever might be given up by secret stipulation, some care would be taken to save appearances to the public. The event shows us, that to depart, in the minutest article, from the nicety and strictness of punctilio, is as dangerous to national honour as to female virtue. The woman who admits of one familiarity, seldom knows where to stop, or what to refuse; and when the counsels of a great country give way in a single instance,—when once they are inclined to submission,—every step accelerates the rapidity of the descent. The ministry themselves, when they framed the speech, did not foresee that they should ever accede to such an accommodation as they have since advised their master to accept of.

The king says, *The honour of my crown and the rights of my people are deeply affected.* The Spaniard, in his reply, says, *I give you back possession, but I adhere to my claim of prior right, reserving the assertion of it for a more favourable opportunity.*

The speech says, *I made an immediate demand of satisfaction, and, if that fails, I am prepared to do myself justice.* This immediate demand must have been sent to Madrid on the 12th of September, or in a few days after. It was certainly refused, or evaded, and the king *has not* done himself justice. — When the first magistrate speaks to the nation, some care should be taken of his apparent veracity.

The speech proceeds to say, *I shall not discontinue my preparations until I have received proper reparation for the injury.* If this assurance may be relied on, what an enormous expense is entailed, *sine die*, upon this unhappy country! Restitution of a possession and reparation of an injury are as different in substance as they are in language. The very act of restitution may contain, as in this instance it palpably does, a shameful aggravation of the injury. A man of spirit does not measure the degree of an injury by the mere positive damage he has sustained. He considers the principle on which it is founded; he resents the superiority asserted over him; and rejects with indignation the claim of right, which his adversary endeavours to establish, and would force him to acknowledge.

The motives, on which the Catholic king makes restitution, are, if possible, more insolent and disgraceful to our sovereign, than even the declaratory condition annexed to it. After taking four months to consider whether the expedition was undertaken by his own orders or not, he condescends to disavow the enterprise, and to restore the island;—not from any regard to justice,—not from any regard he bears to his Britannic Majesty, but merely *from the persuasion, in which he is, of the pacific sentiments of the king of Great Britain.*— At this rate, if our king had discovered the spirit of a man,—if he had made a peremptory demand of satisfaction, the king of Spain would have given him a peremptory refusal. But why this unseasonable, this ridiculous mention of the king of Great Britain's pacific intentions? Have they ever been in question? Was *he* the aggressor? Does he attack foreign powers without provocation? Does he even resist, when he is insulted? No, Sir, if any ideas of strife or hostility have entered his royal mind, they have a very different direction. The enemies of England have nothing to fear from them.

After all, Sir, to what kind of disavowal has the king of Spain at last consented? Supposing it made in proper time, it should have been accompanied with instant restituation; and if Mr Bucarelli acted without orders, he deserved death. Now, Sir, instead of immediate restitution, we have a four months' negotiation, and the officer, whose act is disavowed, returns to court, and is loaded with honours.

If the actual situation of Europe be considered, the treachery of the king's servants, particularly of lord North, who takes the whole upon himself, will appear in the strongest colours of aggravation. Our allies were masters of the Mediterranean. The king of France's present aversion from war and the distraction of his affairs are notorious. He is now in a state of war with

his people. In vain did the Catholic king solicit him to take part in the quarrel against us. His finances were in the last disorder, and it was probable that his troops might find sufficient employment at home. In these circumstances, we might have dictated the law to Spain. There are no terms to which she might not have been compelled to submit. At the worst, a war with Spain alone carries the fairest promise of advantage. One good effect at least would have been immediately produced by it. The desertion of France would have irritated her ally, and in all probability have dissolved the family compact. The scene is now fatally changed. The advantage is thrown away. The most favourable opportunity is lost.—Hereafter we shall know the value of it. When the French king is reconciled to his subjects ;—when Spain has completed her preparations ;—when the collected strength of the house of Bourbon attacks us at once, the king himself will be able to determine upon the wisdom or imprudence of his present conduct.[1] As far as the probability of argument extends, we may safely pronounce, that a conjuncture, which threatens the very being of this country, has been wilfully prepared and forwarded by our own ministry. How far the people may be animated to resistance under the present administration, I know not; but this I know with certainty, that, under the present administration, or if any thing like it should continue, it is of very little moment whether we are a conquered nation or not.[2]

Having travelled thus far in the high road of matter of fact, I may now be permitted to wander a little into the field of imagination. Let us banish from our minds the persuasion that these events have really happened in the reign of the best of princes. Let us consider them as nothing more than the materials of a fable, in which we may conceive the sovereign of some other country to be concerned. I mean to violate all the laws of probability, when I suppose that this imaginary king, after having voluntarily disgraced himself in the eyes of his subjects, might return to a sense of his dishonour!—that he might perceive the snare laid for him by his ministers, and feel a spark of shame kindling in his breast.—The part he must then be obliged to act, would overwhelm him with confusion. To his parliament he must say, *I called you together to receive your advice, and have never asked your opinion.*—To the merchant,—*I have distressed your commerce; I have dragged your seamen out of your ships, I have loaded you with a grievous weight of insurances.*—To the landholder,—*I told you war was too probable, when I was determined to submit to any terms of accommodation; I extorted new taxes from you before it was possible they could be wanted, and am now unable to account for the application of them.*—To the public creditor,—*I have delivered up your fortunes a prey to foreigners, and to the vilest of your fellow-subjects.* Perhaps this repenting prince might conclude with one general acknowledgment to them all, —*I have involved every rank of my subjects in anxiety and distress, and have nothing to offer you in return, but the certainty of national dishonour, an armed truce, and peace without security.*

If these accounts were settled, there

[1] This prediction was but too fatally verified, in the aid subsequently afforded by those powers to America.—EDIT.

[2] The king's acceptance of the Spanish ambassador's declaration is drawn up in barbarous French, and signed by the earl of Rochford. This diplomatic lord has spent his life in the study and practice of *etiquettes*, and is supposed to be a profound master of the ceremonies. I will not insult him by any reference to grammar or common sense. If he were even acquainted with the common forms of his office, I should think him as well qualified for it as any man in his Majesty's service.—The reader is requested to observe lord Rochford's method of authenticating a public instrument. 'En foi de quoi, *moi* soussigné, un des principaux secretaires d'etat de S. M. B. *ai* signé la presente de ma signature ordinaire, et à icelle fait apposer le cachet de *nos* armes.' In three lines there are no less than seven false concords. But the man does not even know the style of his office;—if he had known it, he would have said, '*nous*, soussigné, secretaire d'etat de S. M. B. *avons* signé,' *&c.*

would still remain an apology to be made to his navy and to his army. To the first he would say, *You were once the terror of the world. But go back to your harbours. A man dishonoured, as I am, has no use for your service.* It is not probable that he would appear again before his soldiers, even in the pacific ceremony of a review.[1] But wherever he appeared, the humiliating confession would be extorted from him: *I have received a blow,—and had not spirit to resent it. I demanded satisfaction, and have accepted a declaration, in which the right to strike me again is asserted and confirmed.* His countenance at least would speak this language, and even his guards would blush for him.

But to return to our argument.—The ministry, it seems, are labouring to draw a line of distinction between the honour of the crown and the rights of the people. This new idea has yet been only started in discourse, for in effect both objects have been equally sacrificed. I neither understand the distinction, nor what use the ministry propose to make of it. The king's honour is that of his people. *Their* real honour and real interest are the same.—I am not contending for a vain punctilio. A clear, unblemished character comprehends not only the integrity that will not offer, but the spirit that will not submit to, an injury; and whether it belongs to an individual or to a community, it is the foundation of peace, of independence, and of safety. Private credit is wealth;—public honour is security.—The feather that adorns the royal bird, supports its flight. Strip him of his plumage, and you fix him to the earth.[2]

JUNIUS.

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[1] A mistake. He appears before them every day, with the mark of a blow upon his face.—*Proh pudor!*

[2] It was against this letter that Dr Johnson was engaged by the ministry to muster the whole of his political and argumentative powers. His answer, published in 1771, is entitled, 'Thoughts on the late Transactions respecting Falkland's Islands;' from which the following is worth transcribing:

'To considerations such as these, it is reasonable to impute that anxiety of the Spaniards, from which the importance of this island is inferred by JUNIUS, one of the few writers of his despicable faction whose name does not disgrace the page of an opponent. The value of the thing disputed may be very different to him that gains and him that loses it. The Spaniards, by yielding Falkland's Island, have admitted a precedent of what they think encroachment, have suffered a breach to be made in the outworks of their empire, and, notwithstanding the reserve of prior right, have suffered a dangerous exception to the prescriptive tenure of their American territories.

'An unsuccessful war would undoubtedly have had the effect which the enemies of the ministry so earnestly desire; for who could have sustained the disgrace of folly ending in misfortune? but had wanton invasion undeservedly prospered, had Falkland's Island been yielded unconditionally with every right prior and posterior, though the rabble might have shouted, and the windows have blazed, yet those who know the value of life, and the uncertainty of public credit, would have murmured, perhaps unheard, at the increase of our debt, and the loss of our people.

'This thirst of blood, however the visible promoters of sedition may think it convenient to shrink from the accusation, is loudly avowed by JUNIUS, the writer to whom his party owes much of its pride, and some of its popularity: Of JUNIUS it cannot be said, as of Ulysses, that he scatters ambiguous expressions among the vulgar; for he cries *havock* without reserve, and endeavours to let slip the dogs of foreign and of civil war, ignorant whither they are going, and careless what may be their prey. JUNIUS has sometimes made his satire felt, but let not injudicious admiration mistake the venom of the shaft for the vigour of the bow. He has sometimes sported with lucky malice; but to him that knows his company, it is not hard to be sarcastic in a mask. While he walks like Jack the Giant Killer in a coat of darkness, he may do much mischief with little strength. Novelty captivates the superficial and thoughtless; vehemence delights the discontented and turbulent. He that contradicts acknowledged truth will always have an audience; he that vilifies established authority will always find abettors.

'JUNIUS burst into notice with a blaze of impudence which has rarely glared upon the world before, and drew the rabble after him as a monster makes a show. When he had once provided for his safety by impenetrable secrecy, he had nothing to combat but truth and justice, enemies whom he knows to be feeble in the dark. Being then at liberty to indulge himself in all the immunities of invisibility; out of the reach of danger, he has been bold; out of the reach of shame, he has been confident. As a rhetorician, he has the art of persuading when he seconded desire; as a reasoner, he has convinced those who had no doubt before; as a moralist, he has taught that virtue may disgrace; and as a patriot, he has gratified the mean by insults on the high. Finding sedition ascendant, he has

LETTER XLIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *6th Feb.* 1771.

I HOPE your correspondent JUNIUS is better employed than in answering or reading the criticisms of a newspaper. This is a task, from which, if he were inclined to submit to it, his friends ought to relieve him. Upon this principle, I shall undertake to answer *Anti Junius*, more, I believe, to his conviction than to his satisfaction. Not daring to attack the main

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been able to advance it; finding the nation combustible, he has been able to inflame it. Let us abstract from his wit the vivacity of insolence, and withdraw from his efficacy the sympathetic favour of plebeian malignity; I do not say that we shall leave him nothing; the cause that I defend scorns the help of falsehood; but if we leave him only his merit, what will be his praise?

'It is not by his liveliness of imagery, his pungency of periods, or his fertility of allusion, that he detains the cits of London and the boors of Middlesex. Of style and sentiment they take no cognizance. They admire him for virtues like their own, for contempt of order and violence of outrage, for rage of defamation and audacity of falsehood. The supporters of the Bill of Rights feel no niceties of composition, nor dexterities of sophistry; their faculties are better proportioned to the bawl of Bellas or barbarity of Beckford; but they are told that JUNIUS is on their side, and they are therefore sure that JUNIUS is infallible. Those who know not whither he would lead them, resolve to follow him; and those who cannot find his meaning, hope he means rebellion.

'JUNIUS is an unusual phænomenon, on which some have gazed with wonder, and some with terror, but wonder and terror are transitory passions. He will soon be more closely viewed, or more attentively examined, and what folly has taken for a comet that, from its flaming hair, shook pestilence and war, enquiry will find to be only a meteor formed by the vapours of putrefying democracy, and kindled into flame by the effervescence of interest struggling with conviction, which, after having plunged its followers in a bog, will leave us enquiring why we regarded it.

'Yet though I cannot think the style of JUNIUS secure from criticism, though his expressions are often trite, and his periods feeble, I should never have stationed him where he has placed himself, had I not rated him by his morals rather than his faculties. 'What,' says Pope, 'must be the priest, where the monkey is a god?' What must be the drudge of a party of which the heads are Wilkes and Crosby, Sawbridge and Townshend?

'JUNIUS knows his own meaning, and can therefore tell it. He is an enemy to the ministry, he sees them hourly growing stronger. He knows that a war at once unjust and unsuccessful would have certainly displaced them, and is therefore, in his zeal for his country, angry that war was not unjustly made, and unsuccessfully conducted; but there are others whose thoughts are less clearly expressed, and whose schemes perhaps are less consequentially digested, who declare that they do not wish for a rupture, yet condemn the ministry for not doing that from which a rupture would naturally have followed.'

Of this pamphlet the ministry were not a little proud; and especially as they made no doubt that JUNIUS would hereby be drawn into a paper contest with Johnson, and that hence they would possess a greater facility of detecting him. JUNIUS seems to have been aware of the trap laid for him, and made no direct reply whatever. How far the Doctor was correct in asking the question, what must be the drudge of a party of which the heads are Wilkes and Crosby, Sawbridge and Townshend? may be seen by referring to the protest entered on the Lords' journals against the address voted in consequence of the communications made to both Houses of parliament on the conclusion of the Spanish convention, which adopts most of the sentiments here so ably expressed, and which will be found in a note to Miscellaneous Letter, No. LXXXVIII., p. 467.

In effect the Doctor did not fairly meet his argument; and a reply was not altogether necessary.

With one part of this celebrated pamphlet the minister himself was displeased, and actually suppressed the sale till his own correction was substituted for the obnoxious passage. The reader shall receive the account from the following letter inserted in the Public Advertiser, which is sufficiently explicit, and was incapable of contradiction.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *April* 2, 1771.

Some little time ago there was published a pamphlet, intitled, 'Thoughts on the late transactions respecting Falkland's Islands,' said, upon good grounds, to have been written by the learned Dr Johnson, under the special direction of the minister-apparent. Scarce were a few copies got abroad, before the sale of the edition, which had been advertised, was stopped, by order of the minister, for the sake of an alteration, which was made (as there is reason to believe) without the consent of the Doctor having been asked or had; after which it was set a-going again, and the public is now happily once more in possession of it. But as some may be curious to know in what it was that the alteration particularly consisted, and may not have by them both the first published and the

body of JUNIUS's last letter, he triumphs in having, as he thinks, surprised an outpost, and cut off a detached argument, a mere straggling proposition. But even in this petty warfare, he shall find himself defeated.

JUNIUS does not speak of the Spanish *nation* as the *natural enemies* of England. He applies that description, with the strictest truth and justice, to the Spanish *Court*. From the moment when a prince of the House of Bourbon ascended that throne, their whole system of government was inverted and became hostile to this country. Unity of possession introduced a unity of politics and Lewis the Fourteenth had reason when he said to his grandson, '*The Pyrenees are removed*.' The history of the present century is one continued confirmation of the prophecy.

The assertion '*That violence and oppression at home can only be supported by treachery and submission abroad*,' is applied to a free people, whose rights are invaded, not to the government of a country, where despotic or absolute power is confessedly vested in the prince; and with this application, the assertion is true. An absolute monarch having no points to carry at home, will naturally maintain the honour of his crown in all his transactions with foreign powers. But if we could suppose the sovereign of a free nation possessed with a design to make himself absolute, he would be inconsistent with himself if he suffered his projects to be interrupted or embarrassed by a foreign war; unless that war tended, as in some cases it might, to promote his principal design. Of the three exceptions to this general rule of conduct (quoted by *Anti Junius*), that of Oliver Cromwell is the only one in point. Harry the Eighth, by the submission of his parliament, was as absolute a prince as Lewis the Fourteenth. Queen Elizabeth's government was not oppressive to the people; and as to her foreign wars, it ought to be considered that they were *unavoidable*. The national honour was not in question. She was compelled to fight in defence of her own person and of her title to the crown. In the common course of selfish policy, Oliver Cromwell should have cultivated the friendship of foreign powers, or at least have avoided disputes with them, the better to establish his tyranny at home. Had he been only a bad man, he would have sacrificed the honour of the nation to

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altered pamphlet to compare, the following account will solve the question:

In the *first* publication, pages 67 and 68, you have the following paragraph:

'The Manilla ransom has, I think, been most mentioned by the inferior bellowers of sedition. Those who lead the faction know that it cannot be remembered much to their advantage. The followers of lord Rockingham remember that his ministry begun and ended without obtaining it: the adherents to Grenville would be told that he could never be brought to understand our claim. The law of nations made little of his knowledge. Let him not, however, be depreciated in his grave; he had powers not universally possessed: *if he could have* GOT *the* MONEY *he could have* COUNTED *it*.'

Upon calling in the pamphlet, this sarcastic pretty epigram, at the close of the paragraph, was struck out, the two pages being cancelled, and a *carton* substituted, with the following alteration after the word 'possessed:'

'*And if he sometimes* ERRED, *he was likewise sometimes* RIGHT.'

And thus it *now* stands in the *second* publication. And here the exquisite stupidity of the words which were substituted to the words expunged, would not be worth remarking, as if it was very possible to name that personage in the world of whom it was not predicable, that 'if he *sometimes erred*, he was also *sometimes right*;' but that there occurs upon it a not uncurious question, to which of the two motives of the minister this notable alteration was most probably owing; a question which it is left to the candour of the reader to decide with himself.

Whether was it owing to the premier's scrupulous delicacy of not wounding the memory of the dead (a man who with a knowledge of the laws, and of the finances, infinitely superior to his, had however, if possible, as little of the genius for managing affairs as himself), that he caused the close of the paragraph in the first publication to be cancelled, to make way for foisting into the second an alteration that mended nothing, being manifestly an exquisite chip of nonsense?

Or, was it that those unlucky words in the first, relative to the *counting* of *money*, struck the conscious premier, in the light of the obvious danger of the public's being reminded by them of that *rich* story of a *high* character's having, upon a time, been observed busily employed in the *noble* act of COUNTING *money* at CHURCH?—EDIT.

the success of his domestic policy. But, with all his crimes, he had the spirit of an Englishman. The conduct of such a man must always be an exception to vulgar rules. He had abilities sufficient to reconcile contradictions, and to make a great nation at the same moment unhappy and formidable. If it were not for the respect I bear the minister, I could name a man, who, without one grain of understanding, can do half as much as Oliver Cromwell.

Whether or no there be a *secret system* in the closet, and what may be the object of it, are questions which can only be determined by appearances, and on which every man must decide for himself.

The whole plan of JUNIUS's letter proves that he himself makes no distinction between the real honour of the crown and the real interest of the people. In the climax, to which your correspondent objects, JUNIUS adopts the language of the court, and by that conformity gives strength to his argument. He says that '*the king has not only sacrificed the interests of his people, but* (what was likely to touch him more nearly) *his personal reputation, and the dignity of his crown.*'

The queries, put by *Anti Junius*, can only be answered by the ministry.[1] Abandoned as they are, I fancy they will not confess that they have, for so many years, maintained possession of another man's property. After admitting the assertion of the ministry—viz. *that the Spaniards had no rightful claim*, and after justifying them for saying so,—it is *his* business, not *mine*, to give us some good reason for their *suffering the pretensions of Spain to be a subject of negotiation.* He admits the facts;—let him reconcile them if he can.

The last paragraph brings us back to the original question, whether the Spanish declaration contains such a satisfaction as the king of Great Britain ought to have accepted. This was the field upon which he ought to have encountered JUNIUS openly and fairly. But here he leaves the argument, as no longer defensible. I shall therefore conclude with one general admonition to my fellow-subjects; — that, when they hear these matters debated, they should not suffer themselves to be misled by general declamations upon the conveniences of peace, or the miseries of war. Between peace and war, abstractedly, there is not, there cannot be, a question in the mind of a rational being. The real questions are, *Have we any security that the peace we have so dearly purchased will last a twelvemonth?* and if not,—*have we, or have we not, sacrificed the fairest opportunity of making war with advantage?*

PHILO JUNIUS.[2]

LETTER XLIV.[3]

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *22 April*, 1771.

To write for profit without taxing the press;[4]—to write for fame and to be unknown; to support the intrigues of faction and to be disowned, as a dangerous auxiliary, by every party in the kingdom, are contradictions which the minister must reconcile, before I forfeit my credit with

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[1] A writer, subscribing himself *Anti Junius*, attacked the preceding letter of JUNIUS in three successive numbers of the Public Advertiser, in February 1771; but, after the extracts inserted from Dr Johnson, his letters are hardly entitled to further notice.—EDIT.

[2] On the seventh of February appeared the following letter:

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

The first letter of *Anti Junius* did not promise a second, or at least it escaped me. I shall reserve my observations on his second till I see the whole.

In the third paragraph of my letter (line 29) it should have been printed common course, not common cause.

PHILO JUNIUS.'

The error is corrected in this edition.—EDIT.

[3] On this letter, respecting privilege, JUNIUS makes the following remark to Mr Wilkes. 'The pains I took with that paper, were greater than I can express to you.' Private Letter, No. 70.—EDIT.

[4] See Private Letter, No. 59.—EDIT.

the public. I may quit the service, but it would be absurd to suspect me of desertion. The reputation of these papers is an honourable pledge for my attachment to the people. To sacrifice a respected character, and to renounce the esteem of society, requires more than Mr Wedderburne's[1] resolution; and though, in him, it was rather a profession than a desertion of his principles [I speak tenderly of this gentleman, for when treachery is in question, I think we should make allowances for a Scotchman], yet we have seen him in the House of Commons overwhelmed with confusion, and almost bereft of his faculties.—But in truth, Sir, I have left no room for an accommodation with the piety of St James's. My offences are not to be redeemed by recantation or repentance. On one side, our warmest patriots would disclaim me as a burthen to their honest ambition. On the other, the vilest prostitution, if JUNIUS could descend to it, would lose its natural merit and influence in the cabinet, and treachery be no longer a recommendation to the royal favour.

The persons who, till within these few years, have been most distinguished by their zeal for high church and prerogative, are now, it seems, the great assertors of the privileges of the House of Commons. This sudden alteration of their sentiments or language carries with it a suspicious appearance. When I hear the undefined privileges of the popular branch of the legislature exalted by Tories and Jacobites, at the expense of those strict rights, which are known to the subject, and limited by the laws, I cannot but suspect, that some mischievous scheme is in agitation, to destroy both law and privilege, by opposing them to each other. They who have uniformly denied the power of the whole legislature to alter the descent of the crown, and whose ancestors, in rebellion against his Majesty's family, have defended that doctrine at the hazard of their lives, now tell us that privilege of parliament is the only rule of right, and the chief security of the public freedom.—I fear, Sir, that, while forms remain, there has been some material change in the substance of our constitution. The opinions of these men were too absurd to be so easily renounced. Liberal minds are open to conviction.—Liberal doctrines are capable of improvement.—There are proselytes from atheism, but none from superstition.—If their present professions were sincere, I think they could not but be highly offended at seeing a question, concerning parliamentary privilege, unnecessarily started at a season so unfavourable to the House of Commons, and by so very mean and insignificant a person as the minor *Onslow*.[2] They knew that the present House of Commons, having commenced hostilities with the people, and degraded the authority of the laws by their own example, were likely enough to be resisted, *per fas et nefas*. If they were really friends to privilege, they would have thought the question of right too dangerous to be hazarded at this season, and without the formality of a convention, would have left it undecided.

I have been silent hitherto, though not from that shameful indifference about the interests of society, which too many of us profess, and call moderation. I confess, Sir, that I felt the prejudices of my education, in favour of a House of Commons, still hanging about me. I thought that a question, between law and privilege,[3] could

[1] Mr Wedderburne, progressively baron Loughborough and earl of Rosslyn, had, on the 12th of January preceding the date of this letter, been promoted to the offices of solicitor-general, and coffered to the queen. His politics may, therefore, be ascertained without trouble; yet he had been inducted into public life, under the auspices of George Grenville, after the latter had professed the principles of Whiggism, and while he was a partisan of lord Rockingham: and it is to this defection from the tenets Mr Wedderburne avowed till this period, that our author here alludes.—EDIT.

[2] It was this gentleman, now lord Onslow, who moved the resolution against the printers already noticed; and who commenced a prosecution for defamation against Horne, in which he was not successful; and of which the reader will find an account in note B. to Private Letter, No. 5, p. 62. —EDIT.

[3] The transaction referred to is the resistance

never be brought to a formal decision, without inconvenience to the public service, or a manifest diminution of legal liberty ;—that it ought therefore to be carefully avoided : and when I saw that the violence of the House of Commons had carried them too far to retreat, I determined not to deliver a hasty opinion upon a matter of so much delicacy and importance.

The state of things is much altered in this country, since it was necessary to protect our representatives against the direct power of the crown. We have nothing to apprehend from prerogative, but every thing from undue influence. Formerly it was the interest of the people, that the privileges of parliament should be left unlimited and undefined. At present it is not only their interest, but I hold it to be essentially necessary to the preservation of the constitution, that the privileges of parliament should be strictly ascertained, and confined within the narrowest bounds the nature of their institution will admit of. Upon the same principle, on which I would have resisted prerogative in the last century, I now resist privilege. It is indifferent to me, whether the crown, by its own immediate act, imposes new and dispenses with old laws, or whether the same arbitrary power produces the same effects through the medium of the House of Commons. We trusted our representatives with privileges for their own defence and ours. We cannot hinder their desertion, but we can prevent their carrying over their arms to the service of the enemy.—It will be said, that I begin with endeavouring to reduce the argument concerning privilege to a mere question of convenience ;—that I deny at one moment what I would allow at another ; and that to resist the power of a prostituted House of Commons may establish a precedent injurious to all future parliaments.—To this I answer generally, that human affairs are in no instance governed by strict positive right. If change of circumstances were to have no weight in directing our conduct and opinions, the mutual intercourse of mankind would be nothing more than a contention between positive and equitable right. Society would be a state of war, and law itself would be injustice. On this general ground, it is highly reasonable, that the degree of our submission to privileges, which have never been defined by any positive law, should be considered as a question of convenience, and proportioned to the confidence we repose in the integrity of our representatives. As to the injury we may do to any future and more respectable House of Commons, I own I am not now sanguine enough to expect a more plentiful harvest of parliamentary virtue in one year than another. Our political climate is severely altered ; and without dwelling upon the depravity of modern times, I think no reasonable man will expect that, as human nature is constituted, the enormous influence of the crown should cease to prevail over the virtue of individuals. The mischief lies too deep to be cured by any remedy less than some great convulsion, which may either carry back the constitution to its original principles, or utterly destroy it. I do not doubt that, in the first session after the next election, some popular measures may be adopted. The present House of Commons have injured themselves by a too early and public profession of their principles, and if a strain of prostitution, which had no example, were within the reach of emulation, it might be imprudent to hazard the experiment too soon. But after all, Sir, it is very immaterial whether a House of Commons shall preserve their virtue for a week, a month, or a year. The influence which makes a septennial parliament dependent upon the pleasure of the crown, has a permanent operation, and cannot fail of success.—My premises, I know, will be denied

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of the authority of a mere royal proclamation, and a mere order of the House of Commons, by the magistrates of the city; the arrests and counter-arrests that followed; and the commitment of the lord mayor and aldermen to the Tower. See note to Miscellaneous Letter, No. XCII.—Edit.

in argument, but every man's conscience tells him they are true. It remains then to be considered, whether it be for the interest of the people that privilege of parliament (which,[1] in respect to the purposes for which it has hitherto been acquiesced under, is merely nominal) should be contracted within some certain limits, or whether the subject shall be left at the mercy of a power, arbitrary upon the face of it, and notoriously under the direction of the crown.

I do not mean to decline the question of *right*. On the contrary, Sir, I join issue with the advocates for privilege, and affirm, that, 'excepting the cases, wherein the House of Commons are a court of judicature, [to which, from the nature of their office, a coercive power must belong,] and excepting such contempts as immediately interrupt their proceedings, they have no legal authority to imprison any man for any supposed violation of privilege whatsoever.' —It is not pretended that privilege, as now claimed, has ever been defined or confirmed by statute; neither can it be said, with any colour of truth, to be a part of the common law of England, which had grown into prescription long before we knew any thing of the existence of a House of Commons. As for the law of parliament, it is only another name for the privilege in question; and since the power of creating new privileges has been formally renounced by both Houses,—since there is no code, in which we can study the law of parliament, we have but one way left to make ourselves acquainted with it;—that is, to compare the nature of the institution of a House of Commons with the facts upon record. To establish a claim of privilege in either House, and to distinguish original right from usurpation, it must appear that it is indispensably necessary for the performance of the duty they are employed in, and also that it has been uniformly allowed. From the first part of this description it follows clearly, that whatever privilege does of right belong to the present House of Commons, did equally belong to the first assembly of their predecessors, was as completely vested in them, and might have been exercised in the same extent. From the second we must infer that privileges, which, for several centuries, were not only never allowed, but never even claimed by the House of Commons, must be founded upon usurpation. The constitutional duties of a House of Commons are not very complicated nor mysterious. They are to propose or assent to wholesome laws for the benefit of the nation. They are to grant the necessary aids to the king;—petition for the redress of grievances, and prosecute treason or high crimes against the state. If unlimited privilege be necessary to the performance of these duties, we have reason to conclude that, for many centuries after the institution of the House of Commons, they were never performed. I am not bound to prove a negative, but I appeal to the English history when I affirm that, with the exceptions already stated (which yet I might safely relinquish), there is no precedent, from the year 1265 to the death of queen Elizabeth, of the House of Commons having imprisoned any man (not a member of their House) for contempt or breach of privilege. In the most flagrant cases, and when their acknowledged privileges were most grossly violated, the *poor Commons*, as they then styled themselves, never took the power of punishment into their own hands. They either sought redress by petition to the king, or, what is more remarkable, applied for justice to the House of

[1] 'The necessity of securing the House of Commons against the King's power, so that no interruption might be given either to the attendance of the members in parliament, or to the freedom of debate, was the foundation of parliamentary privilege; and we may observe, in all the addresses of new appointed speakers to the sovereign, the utmost privilege they demand is liberty of speech and freedom from arrests. The very word privilege means no more than immunity, or a safeguard to the party who possesses it, and can never be construed into an active power of invading the rights of others.'—AUTHOR.

This and some of the following notes form part of a letter signed a Whig, and will be found in the Miscellaneous Collection numbered XCV.—EDIT.

Lords; and when satisfaction was denied them or delayed, their only remedy was to refuse proceeding upon the king's business. So little conception had our ancestors of the monstrous doctrines now maintained concerning privilege, that, in the reign of Elizabeth, even liberty of speech, the vital principle of a deliberate assembly, was restrained, by the Queen's authority, to a simple *aye* or *no*, and this restriction, though imposed upon three successive parliaments,[1] was never once disputed by the House of Commons.

I know there are many precedents of arbitrary commitments for contempt. But, besides that they are of too modern a date to warrant a presumption that such a power was originally vested in the House of Commons,—*Fact* alone does not constitute *Right*. If it does, general warrants were lawful.—An ordinance of the two Houses has a force equal to law; and the criminal jurisdiction assumed by the Commons in 1621, in the case of Edward Lloyd,[2] is a good precedent, to warrant the like proceedings against any man, who shall unadvisedly mention the folly of a king, or the ambition of a princess.—The truth is, Sir, that the greatest and most exceptionable part of the privileges now contended for, were introduced and asserted by a House of Commons which abolished both monarchy and peerage, and whose proceedings, although they ended in one glorious act of substantial justice, could no way be reconciled to the forms of the constitution. Their successors profited by the example, and confirmed their power by a moderate or a popular use of it. Thus it grew by degrees, from a notorious innovation at one period, to be tacitly admitted as the privilege of parliament at another.

If however it could be proved, from considerations of necessity or convenience, that an unlimited power of commitment ought to be intrusted to the House of Commons, and that *in fact* they have exercised it without opposition, still, in contemplation of law, the presumption is strongly against them. It is a leading maxim of the laws of England (and without it, all laws are nugatory) that there is no right without a remedy, nor any legal power without a legal course to carry it into effect. Let the power, now in question, be tried by this rule.—The speaker issues his warrant of attachment. The party attached either resists force with force, or appeals to a magistrate, who declares the warrant illegal, and discharges the prisoner. Does the law provide no legal means for enforcing a legal warrant? Is there no regular proceeding pointed out in our law books to assert and vindicate the authority of so high a court as the House of Commons? The question is answered directly by the fact. Their unlawful commands are resisted, and they have no remedy. The imprisonment of their own members is revenge indeed, but it is no assertion of the privilege they contend for.[3] Their whole proceeding stops, and there they stand, ashamed to retreat, and unable to advance. Sir, these ignorant men should be informed that the execution of the laws of England is not left in this uncertain, defenceless condition. If the process of the courts of Westminster-hall be resisted, they have a direct course, sufficient to enforce submission. The court of King's Bench commands the sheriff to

[1] In the years 1593—1597—and 1601.

[2] Lloyd, while a prisoner in the Fleet, had ridiculed the daughter of James the First, and her consort, for which complaint was made to the House of Commons, who, on investigation, chose to think the words sufficiently proved, and sentenced him to be 'set on the pillory at Westminster for two hours, to ride backward upon a horse without a saddle, with the horse's tail in his hand, to have labels affixed on his head, indicating that he had been found guilty of using "false, malicious, and despiteful speeches against the king's daughter and her husband," to be again pilloried in Cheapside, and to be fined £1000.'—EDIT.

[3] Upon their own principles, they should have committed Mr Wilkes, who had been guilty of a greater offence than even the lord mayor or alderman Oliver. But after repeatedly ordering him to attend, they at last adjourned beyond the day appointed for his attendance, and by this mean, pitiful evasion, gave up the point.—Such is the force of conscious guilt!—AUTHOR.

See note to Miscellaneous Letter, No. XCII.
—EDIT.

raise the *posse comitatûs*. The courts of Chancery and Exchequer issue a *writ of rebellion*, which must also be supported, if necessary, by the power of the county.—To whom will our honest representatives direct *their* writ of rebellion? The guards, I doubt not, are willing enough to be employed, but they know nothing of the doctrine of writs, and may think it necessary to wait for a letter from lord Barrington.[1]

It may now be objected to me, that my arguments prove too much; for that certainly there may be instances of contempt and insult to the House of Commons, which do not fall within my own exceptions, yet, in regard to the dignity of the House, ought not to pass unpunished. Be it so.—The courts of criminal jurisdiction are open to prosecutions, which the attorney-general may commence by information or indictment. A libel, tending to asperse or vilify the House of Commons, or any of their members, may be as severely punished in the court of King's Bench, as a libel upon the king. Mr De Grey thought so, when he drew up the information upon my Letter to his Majesty, or he had no meaning in charging it to be a scandalous libel upon the House of Commons. In *my* opinion, they would consult their real dignity much better by appealing to the laws when they are offended, than by violating the first principle of natural justice, which forbids us to be judges, when we are parties to the cause.[2]

I do not mean to pursue them through the remainder of their proceedings. In their first resolutions, it is possible they might have been deceived by ill-considered precedents. For the rest there is no colour of palliation or excuse. They have advised the king to resume a power of dispensing with the laws by royal proclamation;[3] and kings, we see, are ready enough to follow such advice.—By mere violence, and without the shadow of right, they have expunged the record[4] of a judicial proceeding.[5]

[1] In allusion to his letter of thanks to the guards for their conduct in St George's Fields. See the letter and the subject more particularly touched upon in the Miscellaneous Collection, No. XXIV.—EDIT.

[2] 'If it be demanded, in case a subject should be committed by either House, for a matter manifestly out of their jurisdiction, what remedy can he have? I answer, that it cannot well be imagined that the law, which favours nothing more than the liberty of the subject, should give us a remedy against commitments by the king himself, appearing to be illegal, and yet give us no manner of redress against a commitment by our fellow-subjects, equally appearing to be unwarranted. But as this is a case which I am persuaded will never happen, it seems needless over nicely to examine it.' *Hawkins* 2, 110.—*N. B. He was a good lawyer, but no prophet.*

[3] That their practice might be every way conformable to their principles, the House proceeded to advise the crown to publish a proclamation universally acknowledged to be illegal. Mr Moreton publicly protested against it before it was issued; and lord Mansfield, though not scrupulous to an extreme, speaks of it with horror. It is remarkable enough, that the very men who advised the proclamation, and who hear it arraigned every day both within doors and without, are not daring enough to utter one word in its defence, nor have they ventured to take the least notice of Mr Wilkes for discharging the persons apprehended under it.

[4] Our author refers to the erasure of the transactions of the sitting aldermen from the book of recognizances, as stated in note to Miscellaneous Letter, No. XCII.—EDIT.

[5] Lord Chatham very properly called this the act of a mob, not of a senate.—AUTHOR.

In a speech made in support of the following motion submitted to the House of Lords, April 30, 1771:—

The duke of Richmond moved, 'That an humble address be presented to his Majesty, most dutifully and earnestly beseeching his Majesty, that, under the late violations of the rights of the electors of Great Britain, in the election for Middlesex, still unredressed, and in the present conflict which has so unhappily arisen between the claims of privilege of the House of Commons on one side, and those of magistracy on the other, his Majesty will, in his paternal wisdom, deign to open the way to compose this alarming warfare; and that, in order to prevent the said House and the nation from being involved in intemperate discussions of undefined powers, which, in the extreme, may endanger the constitution, and tend to shake the tranquility of the kingdom, his Majesty will be graciously pleased to recur to the recent sense of his people, by dissolving, after the end of this session, the present parliament, and calling, with convenient dispatch, a new parliament.'

Lord Chatham, in supporting this motion, entered largely into the consideration of the melancholy state of the country;—the depraved system of government, which had, in a very few years, reduced us from a most flourishing to a

Nothing remained, but to attribute to their own vote a power of stopping the whole distribution of criminal and civil justice.

The public virtues of the chief magistrate have long since ceased to be in question. But it is said that he has private good qualities, and I myself have been ready to acknowledge them. They are now brought to the test. If he loves his people, he will dissolve a parliament, which they can never confide in or respect.—If he has any regard for his own honour, he will disdain to be any longer connected with such abandoned prostitution. But if it were conceivable, that a king of this country had lost all sense of personal honour, and all concern for the welfare of his subjects, I confess, Sir, I should be contented to renounce the forms of the constitution once more, if there were no other way to obtain substantial justice for the people.[1]

JUNIUS.

LETTER XLV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 1 *May*, 1771.

THEY, who object to detached

most miserable condition. He went through the whole proceedings of the House of Commons in the late business of the printers, and arraigned every part of it in the strongest terms. He warmly defended the magistrates in the conscientious discharge of their duty;—that the House, in committing them to prison without hearing their defence upon the point of privilege, had been guilty of a gross and palpable act of tyranny;—that they had heard the prostituted electors of Shoreham in defence of an agreement to sell a borough by auction, and had refused to hear the lord mayor of London, in defence of the laws of England;—that their expunging, by mere force, the entry of the recognizance, was the act of a *mob*, not of a parliament;—but that their daring to assume a power of stopping all prosecutions by their vote, struck at once at the whole system of the laws;—that it was solely to the measures of government, equally violent and absurd, that Mr Wilkes owed all his importance;—that the king's ministers, supported by the slavish concurrence of the House of Commons, had once made him a person of the greatest consequence in the kingdom;—that they in effect had made him an alderman of London, and representative of the county of Middlesex; and now, it seems, they intend to make him sheriff, and, in due course, lord mayor of London;—that the proceedings of the House of Commons, in regard to this gentleman, made the very name of parliament ridiculous;—that after repeated resolutions, by which they had declared him amenable to their jurisdiction, they had shamefully given up the point at last, and, in the face of the world, acknowledged him to be their lord and master.—That there remained but one possible remedy for the disorders, with which the government of this country was universally infected;—that to save the name and institution of parliaments from contempt, this House of Commons must be dissolved. This he hoped might restore good government on one side,—good humour and tranquillity on the other;—yet that this was rather a hope in him than any sanguine expectation. He feared that it might prove only a temporary and partial remedy;—that to resist the enormous influence of the crown, some stronger barriers must be erected in defence of the constitution. That formerly the inconveniences of shortening the duration of parliaments had had great weight with him, but that now it was no longer a question of convenience, the *summa rerum* is at stake,—your whole constitution is giving way;—and therefore, with the most deliberate and solemn conviction to his understanding, he now declared himself a CONVERT TO TRIENNIAL PARLIAMENTS.'—EDIT.

[1] When Mr Wilkes was to be punished, they made no scruple about the privileges of parliament; and although it was well known as any matter of public record and uninterrupted custom could be, *that the members of either House are privileged, except in case of treason, felony, or breach of peace*, they declared without hesitation *that privilege of parliament did not extend to the case of a seditious libel;* and undoubtedly they would have done the same if Mr Wilkes had been prosecuted for any other misdemeanour whatsoever. The ministry are of a sudden grown wonderfully careful of privileges, which their predecessors were as ready to invade. The known laws of the land, the rights of the subject, the sanctity of charters, and the reverence due to our magistrates, must all give way, without question or resistance, to a privilege of which no man knows either the origin or the extent. The House of Commons judge of their own privileges without appeal:—they may take offence at the most innocent action, and imprison the person who offends them, during their arbitrary will and pleasure. The party has no remedy;—he cannot appeal from their jurisdiction: and if he questions the privilege, which he is supposed to have violated, it becomes an aggravation of his offence. Surely this doctrine is not to be found in Magna Charta. If it be admitted without limitation, I affirm that there is neither law nor liberty in this kingdom. We are the slaves of the House of Commons, and, through them, we are the slaves of the king and his ministers.—ANONYMOUS.

parts of JUNIUS's last letter, either do not mean him fairly, or have not considered the general scope and course of his argument.—There are degrees in all the private vices.—Why not in public prostitution?—The influence of the crown naturally makes a septennial parliament dependent.—Does it follow that every House of Commons will plunge at once into the *lowest depths* of prostitution?—JUNIUS supposes that the present House of Commons, in going such enormous lengths, have been *imprudent to themselves*, as well as wicked to the public; —that their example is *not within the reach of emulation*;—and that, in the first session after the next election, *some* popular measures may probably be adopted. He does not expect that a dissolution of parliament will destroy corruption, but that at least it will be a check and terror to their successors, who will have seen that, *in flagrant cases*, their constituents *can* and *will* interpose with effect.—After all, Sir, will you not endeavour to remove or alleviate the most dangerous symptoms, because you cannot eradicate the disease? Will you not punish *treason* or *parricide*, because the sight of a gibbet does not prevent highway robberies? When the main argument of JUNIUS is admitted to be unanswerable, I think it would become the minor critic, who hunts for blemishes, to be a little more distrustful of his own sagacity.—The other objection is hardly worth an answer. When JUNIUS observes that kings are ready enough to follow *such* advice, he does not mean to insinuate that, if the advice of parliament were good, the king would be so ready to follow it.

PHILO JUNIUS.

LETTER XLVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 22 *May*, 1771.

VERY early in the debate upon the decision of the Middlesex election, it was well observed by JUNIUS, that the House of Commons had not only exceeded their boasted precedent of the expulsion and subsequent incapacitation of Mr Walpole, but that they had not even adhered to it strictly as far as it went. After convicting Mr Dyson of giving a false quotation from the journals,[1] and having explained the purpose which that contemptible fraud was intended to answer, he proceeds to state the vote itself, by which Mr Walpole's supposed incapacity was declared,—viz. 'Resolved, That Robert Walpole, Esq. having been this session of parliament committed a prisoner to the Tower, and expelled this House for a high breach of trust in the execution of his office, and notorious corruption when secretary at war, was, and is, incapable of being elected a member to serve in this present parliament:'—and then observes that, from the terms of the vote, we have no right to annex the incapacitation to the *expulsion* only, for that, as the proposition stands, it must arise equally from the expulsion and the commitment to the Tower. I believe, Sir, no man, who knows any thing of dialectics, or who understands English, will dispute the truth and fairness of this construction. But JUNIUS has a great authority to support him, which, to speak with the duke of Grafton, I accidentally met with this morning in the course of my reading. It contains an admonition, which cannot be repeated too often. Lord Somers, in his excellent tract upon the rights of the people, after reciting the vote of the convention, of the 28th of January, 1689, viz.—'That king James the Second, having endeavoured to subvert the constitution of this kingdom by breaking the original contract between king and people; and by the advice of Jesuits and other wicked persons having violated the fundamental laws, and having withdrawn himself out of this kingdom, hath abdicated the government, &c.'—makes this observation upon it. 'The word *abdicated* relates to *all* the clauses aforegoing, as well as to his deserting the kingdom, or else they would have been wholly in vain.' And that

[1] See Letter XX., p. 183, note.—EDIT.

there might be no pretence for confining the *abdication* merely to the *withdrawing*, Lord Somers farther observes, *That king James, by refusing to govern us according to that law by which he held the crown, did implicitly renounce his title to it.*

If JUNIUS's construction of the vote against Mr Walpole be now admitted (and indeed I cannot comprehend how it can honestly be disputed), the advocates of the House of Commons must either give up their precedent entirely, or be reduced to the necessity of maintaining one of the grossest absurdities imaginable, viz. 'That a commitment to the Tower is a constituent part of, and contributes half, at least, to the incapacitation of the person who suffers it.'

I need not make you any excuse for endeavouring to keep alive the attention of the public to the decision of the Middlesex election. The more I consider it, the more I am convinced that, as a *fact*, it is indeed highly injurious to the rights of the people; but that, as a *precedent*, it is one of the most dangerous that ever was established against those who are to come after us.[1] Yet I am so far a moderate man, that

[1] Mr Wilkes having been again returned as one of the members for the county of Middlesex, in the parliaments of 1774 and 1780, made various fruitless efforts to get the decision of the House of Commons on this most interesting controversy erased from their journals, which he at length effected, on the dissolution of the administration of which lord North had been at the head from the time of the resignation of the duke of Grafton, in the year 1770. This occurred May 3, 1782.

Mr Wilkes prefaced his motion in the following address to the House.

'MR SPEAKER,

'I think myself peculiarly happy at the present moment, that I have the honour of submitting to the House an important national question, respecting the rights of election, when the friends and favourites of the people enjoy, with the smiles of our sovereign, the offices of trust and power in the state, accompanied with that fair influence, which is necessarily created by great ability, perfect integrity, the purest political virtue, and the remembrance of their former upright conduct in the cause of the people. If the people of England, Sir, have at any period explicitly and fully declared an opinion on a momentous constitutional question, it has been in regard to the Middlesex election in 1768, and the subsequent most profligate proceedings of an administration, hostile, by system, to the rights of this country, and every part of the British empire. An instance cannot be found in our history of a more general concurreuce of sentiment among the freeholders of England, and they were joined by almost every borough and corporation in the southern part of the island. I am satisfied, therefore, that I now shall find the real friends of the people determined and zealous in the support of their just claims and undoubted privileges.

'Hitherto, Sir, every attempt for the recovery of this invaluable franchise has been rendered fruitless by the arts and machinations of power in the hands of wicked men: and I may with truth assert, that the body of the people long addressed, petitioned, and remonstrated with manly firmness and perseverance, without the least effect, or even impression. The full redress demanded by this injured nation, seems reserved to distinguish the present propitious æra of public liberty among the early and blooming honours of an administration, which possesses the confidence, and daily conciliates the affections, of a brave and sensible people. Their voice was never heard in a more clear and distinct manner, than on this point of the first magnitude for all the electors of this kingdom; and I trust will now be heard favourably. The general resentment and indignation ran so high against the House of Commons, which committed the outrage, that their immediate dissolution became the prayer of numberless petitions to the throne. No man scrupled to declare them unworthy to exist in their political capacity. The public pronounced them *guilty* of sacrificing and betraying the rights which they were called upon by every tie of justice and duty to defend. The noble spirit of the freeholders of Middlesex, persevering in the best of causes, undaunted by all the menaces of power, was the subject of the most general applause and admiration. The voice of the people was then in the harsh and sharp tone of passion and anger against ministers. It will, I am persuaded, soon be in the soft and pleasing accents of joy and thankfulness to our deliverers.

'It is scarcely possible, Sir, to state a question in which the people of this free country are more materially interested, than in the right of election; for it is the share which they have reserved to themselves in the legislature. When it was wrested from them by violence, the constitution was torn up by the roots.

'I have now the happiness of seeing the Treasury bench filled with the friends of the constitution, the guardians and lovers of liberty, who have been unwearied and uniform in the defence of all our rights, and in particular of this invaluable franchise. I hail the present auspicious moment, and with impatience expect the completion of what I have long and fervently desired for my friends and country, for the present age, and a free posterity. The former conduct of

I verily believe the majority of the House of Commons, when they passed this dangerous vote, neither understood the question, nor knew the consequence of what

those now in power, affords me the most sanguine hopes of this day seeing justice done to a people, to whom they have so frequently appealed, who now look up to them with ardent expectation, with pleasure and esteem. Consistency, Sir, has drawn the right line of their political conduct to this period. It will now point out the same path of public virtue and honour. May I be indulged in a hint, which I mean to extend much beyond the business of the day, when I say that consistency will be attended with that stability and perfect security, which are the objects of every good man's wishes for them? They have given us a fair earnest of their reverence for the constitution, by their support of two bills, essentially necessary to restore the purity and independency of parliament; *I mean the bill for preventing contractors from sitting in the House of Commons, and the bill for disabling officers of the revenue from voting at elections.*'——Mr Wilkes was here interrupted with a message by Sir Francis Molyneux, gentleman usher of the *black rod*, desiring the immediate attendance of the House of Commons in the House of Lords. The Speaker then went up to the House of Peers; and after his return and report of what had passed,

Mr Wilkes said:

'Mr Speaker,

'I return my thanks to the *black* rod for so luckily interposing in favour of this House, when I might possibly have again tired them with the important, however stale, case of the *Middlesex election*, which their patient ear has for several years, with much good nature, suffered. I will now make some return to their indulgence, in profiting by the circumstance of this happy interruption, and not saying a single word about *Walpole* or *Wollaston*, *Coke* or *Blackstone*. I will not detain the House longer, than by observing the parliamentary form of desiring the clerk to read the resolution of the 17th of February, 1769.' Which having been complied with, he then moved, 'That the entry of the resolution of the 17th of Feb. 1769, "That John Wilkes, Esq., having been in this session of parliament expelled this House, was, and is, incapable of being elected a member to serve in this present parliament," might be expunged from their journals, it being subversive of the rights of the whole body of the electors of this kingdom.' This motion was (after some opposition from the late Mr Fox, then secretary of state, and from the late lord Melville, then lord advocate for Scotland, the former of whom had strenuously supported the whole of the resolutions passed by the House of Commons, in respect to the Middlesex election) carried on a division, 185 to 47. Mr Wilkes, as soon as this question was disposed of, moved, 'That all the declarations, orders, and resolutions of the House, respecting his election for the county of Middlesex, as a void election, the due and legal election of Mr Luttrell into parliament for the said county, and his own incapacity to be elected a member to serve in the said parliament, be expunged;' which motion was, for the reasons before given, carried without a division.

Thus terminated one of the most severe, and on the part of the servants of the crown most unconstitutional, political contests, that ever agitated the people of this country; not leaving *a rack behind*, to constitute, as our author emphatically terms it, 'a precedent the most dangerous that ever was established against those who are to come after us.' As the merit of the erasure of these obnoxious resolutions from the journals of the House of Commons, is solely due to the talents and perseverance of Mr Wilkes, it will not be unfair to defend his motives and pretensions as a patriot, from the detraction of contemporary adversaries, as well as from his more modern opponents. The first political offence of which he appears to have been guilty, was the severity with which he attacked the administration of lord Bute, and which was justly characterized for being as deficient in ability as it was odiously unconstitutional. For this attack a general warrant was issued, his papers were seized, and himself committed a close prisoner to the Tower. He was afterwards prosecuted for the republication of the North Briton, No. 45, the vehicle of his political lucubrations, and for the Essay on Woman, which had been surreptitiously stolen from him by a man of the name of Curry, employed in printing it at his private press, at the instigation of, and under the promise of ample reward and protection from, Philip Carteret Webb, the solicitor to the Treasury. Previous to the trial, Wilkes fled to France, where he remained for some years; in the mean time he had been found guilty in the King's Bench of printing and publishing both libels; and not appearing in due time to receive the judgment of the court, he was outlawed. A short time previous to the dissolution of parliament in the year 1768, he returned to this country, and was elected member for the county of Middlesex. In the mean while, he surrendered himself to the King's Bench, and having claimed the benefit of certain errors in the writ of outlawry, the same were, after solemn argument, admitted by the court, and the outlawry was reversed. A few days subsequent to this determination, the judgment of the court was pronounced on him for publishing the libels; for the former he was sentenced to pay a fine of £500 to the king, and to be imprisoned ten months; and for the latter, he was fined in the like sum, and sentenced to twelve months' imprisonment; and was further ordered to find security for his good behaviour for seven years, himself in £1000 and two sureties in £500 each. His expulsion from the House of Commons, and the consequences of it, are the subject of several

they were doing. Their motives were rather despicable than criminal, in the extreme. One effect they certainly did not foresee. They are now reduced to such a situation, that if a member of the present House of Commons were to conduct himself ever so improperly, and in reality deserve to be sent back to his constituents with a mark of disgrace, they would not dare to expel him; because they know that the people, in order to try again the great question of right, or to thwart an odious House of Commons, would probably overlook his immediate unworthiness, and return the same person to parliament.—But, in time, the precedent will gain strength. A future House of Commons will have no such apprehensions, consequently will not scruple to follow a precedent, which they did not establish. The miser himself seldom lives to enjoy the fruit of his extortion; but his heir succeeds to him of course, and takes possession without censure. No man expects him to make restitution, and no matter for his title, he lives quietly upon the estate.

PHILO JUNIUS.

LETTER XLVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 25 *May*, 1771.

I CONFESS my partiality to JUNIUS, and feel a considerable pleasure in being able to communicate any thing to the public, in support of his opinions. The doctrine laid down in his last letter, concerning the power of the House of Commons to commit for contempt, is not so new as it appeared to many people, who, dazzled with the name of *privilege*, had never suffered themselves to examine the question fairly. *In the course of my reading this morning*, I met with the following passage in the journals of the House of Commons. (Vol. 1st, page 603.) Upon

of the Letters of this volume, as well as of the notes which have been added to them. Not long previous to his release from prison, he was elected Alderman of Farringdon Without; shortly afterwards one of the Sheriffs of London, and in due course Lord Mayor; and on the death of Mr Hopkins, Chamberlain. At a subsequent period of Mr Wilkes's life, when the violence of the politics which had raised him to these several respectable situations had altogether subsided, he was attacked, more than once, on the annual election of Chamberlain, and other city officers, with a demand of the previous resignation of his gown as an alderman of London, which he always most resolutely refused, declaring that no consideration on earth should induce him to forego the honour which he felt had been conferred upon him by his election to the magistracy of the city of London, and by which determination he ran considerable risk of losing his election to the former lucrative situation; an instance of disinterestedness not often to be met with in those who most confidently lay claim to patriotism, which certainly places his character in a higher point of view than many have been willing to allow to it:- and, in so far as the motives which actuated his political conduct can be called in question, adds to the value of the obligations conferred upon us, by his able and successful opposition to general warrants; by the aid and assistance afforded the printers in resisting the violence of their representatives, on the subject of reporting the debates in parliament; and by his perseverance in vindicating the rights of the electors of Great Britain, in procuring the erasure from the journals of the House of Commons, of their most unconstitutional determination on the much agitated question of the Middlesex election. With respect to the private character of Mr Wilkes in early life, the writer of this note will not venture to make any defence, though he trusts to be excused if he quotes the apology which was made for him by a friend, in the year 1769. 'As to his private foibles, I shall only add, that he may apply what a very eccentric genius of this age has said of himself: My own passions, and the passions and interests of other people still more, have led me aside. I launched into the deep before I had loaded ballast enough. If the ship did not sink, the cargo was thrown overboard. The storm itself threw me into port.' Mr Wilkes, after he lost his election for the county of Middlesex, in the year 1790, lived in considerable retirement, and much respected. His literary attainments were of the higher order, and as a political controversialist, few men were equal to him. Not many years before his death, he was applied to by the late Mr H. S. Woodfall to write some explanatory notes for a new edition of these Letters, which by some have been erroneously attributed to his pen, but declined it, on the ground, as he stated, of not wishing to pay a second visit to the prison of the King's Bench. Mr Wilkes died Dec. 26, 1797, in the 71st year of his age. A fac-simile of his hand-writing will be found at the beginning of this work.—EDIT.

occasion of a jurisdiction unlawfully assumed by the House in the year 1621, Mr attorney-general *Noye* gave his opinion as follows. 'No doubt but, in some cases, this House may give judgment;—in matters of returns, and concerning members of our House, or falling out in our view in parliament; but, for foreign matters, knoweth not how we can judge it.—Knoweth not that we have been used to give judgment in any case, but those before-mentioned.'

Sir Edward Coke, upon the same subject, says (page 604), 'No question but this is a House of record, and that it hath power of judicature in some cases—have power to judge of returns and members of our House; one, no member, offending out of the parliament, *when he came hither and justified it*, was censured for it.'

Now, Sir, if you will compare the opinion of these great sages of the law with JUNIUS's doctrine, you will find they tally exactly.—He allows the power of the House to commit their own members (which however they may grossly abuse). He allows their power in cases where they are acting as a court of judicature, viz. elections, returns, &c.—and he allows it in such contempts as immediately interrupt their proceedings, or, as Mr Noye expresses it, *falling out in their view in parliament.*

They, who would carry the privileges of parliament farther than JUNIUS, either do not mean well to the public, or know not what they are doing. The government of England is a government of law. We betray ourselves, we contradict the spirit of our laws, and we shake the whole system of English jurisprudence, whenever we intrust a discretionary power over the life, liberty, or fortune of the subject, to any man, or set of men, whatsoever, upon a presumption that it will not be abused.

PHILO JUNIUS.

LETTER XLVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 28 *May*, 1771.

ANY man, who takes the trouble of perusing the journals of the House of Commons, will soon be convinced, that very little, if any regard at all, ought to be paid to the resolutions of one branch of the legislature, declaratory of the law of the land, or even of what they call the law of parliament. It will appear that these resolutions have no one of the properties, by which, in this country particularly, *law* is distinguished from mere *will* and *pleasure;* but that, on the contrary, they bear every mark of a power arbitrarily assumed and capriciously applied:—That they are usually made in times of contest, and to serve some unworthy purpose of passion or party;—that the law is seldom declared until *after* the fact, by which it is supposed to be violated;—that legislation and jurisdiction are united in the same persons, and exercised at the same moment;—and that a court from which there is no appeal, assumes an *original* jurisdiction in a criminal case;—in short, Sir, to collect a thousand absurdities into one mass, 'we have a law, which cannot be known because it is *ex post facto*, the party is both legislator and judge, and the jurisdiction is without appeal.' Well might the judges say, *The law of parliament is above us.*

You will not wonder, Sir, that, with these qualifications, the declaratory resolutions of the House of Commons should appear to be in perpetual contradiction, not only to common sense and to the laws we are acquainted with (and which alone we can obey), but even to one another. I was led to trouble you with these observations by a passage, which, to speak in lute-string, *I met with this morning in the course of my reading*, and upon which I mean to put a question to the advocates for privilege.—On the 8th of March, 1704 (vide Journals, Vol. 14, p. 565), the House thought pro-

per to come to the following resolutions.—1. 'That no commoner of England, committed by the House of Commons for breach of privilege or contempt of that House, ought to be, by any writ of *Habeas Corpus*, made to appear in any other place, or before any other judicature, during that session of parliament, wherein such person was so committed.'

2. 'That the serjeant at arms, attending this House, do make no return of, or yield any obedience to, the said writs of *Habeas Corpus*, and for such his refusal, that he have the protection of the House of Commons.'[1]

Welbore Ellis, What say you? Is this the law of parliament, or is it not? I am a plain man, Sir, and cannot follow you through the phlegmatic forms of an oration. Speak out, Grildrig,[2]—say yes, or no.—If you say *yes*, I shall then enquire by what authority Mr De Grey, the honest lord Mansfield, and the barons of the Exchequer, dared to grant a writ of *Habeas Corpus* for bringing the bodies of the lord mayor and Mr Oliver before them, and why the lieutenant of the Tower made any return to a writ, which the House of Commons had, in a similar instance, declared to be unlawful.—If you say *no*, take care you do not at once give up the cause, in support of which you have so long and so laboriously tortured your understanding. Take care you do not confess that there is no test by which we can distinguish,—no evidence by which we can determine,—what is, and what is not, the law of parliament. The resolutions I have quoted stand upon your journals, uncontroverted and unrepealed;—they contain a declaration of the law of parliament by a court, competent to the question, and whose decision, as you and lord Mansfield say, must be law, because there is no appeal from it, and they were made, not hastily, but after long deliberation upon a constitutional question.—What further sanction or solemnity will you annex to any resolution of the present House of Commons, beyond what appears upon the face of those two resolutions, the legality of which you now deny? If you say that parliaments are not infallible, and that queen Anne, in consequence of the violent proceedings of that House of Commons, was obliged to prorogue and dissolve them, I shall agree with you very heartily, and think that the precedent ought to be followed immediately. But you, Mr Ellis, who hold this language, are inconsistent with your own principles. You have hitherto maintained that the House of Commons are the sole judges of their own privileges, and that their declaration does, *ipso facto*, constitute the law of parliament; yet now you confess that parliaments are fallible, and that their resolutions may be illegal, consequently that their resolutions *do not* constitute the law of parliament. When the king was urged to dissolve the present parliament, you advised him to tell his subjects, that *he was careful not to assume any of those powers, which the constitution had placed in other hands*, &c. Yet queen Anne, it seems, was justified in exerting her prerogative to stop a House of Commons, whose proceedings, compared with those of the assembly of which you are a most worthy member, were the perfection of justice and reason.

In what a labyrinth of nonsense does a man involve himself who labours to maintain falsehood by argument! How much

[1] If there be in reality any such law in England, as the *law of parliament*, which (under the exceptions stated in my letter on privilege) I confess, after long deliberation, I very much doubt, it certainly is not constituted by, nor can it be collected from, the resolutions of either House, whether *enacting* or *declaratory*. I desire the reader will compare the above resolution of the year 1704, with the following of the 3rd of April, 1628.—'*Resolved*, That the writ of *Habeas Corpus* cannot be denied, but ought to be granted to *every* man, that is committed or detained in prison, or otherwise restrained by the command of the king, the privy council, *or any other*, he praying the same.'

[2] The diminutive stature of Mr Welbore Ellis, afterwards lord Mendip, hence in another place called, by our author, little *mannikin* Ellis, has been already noticed in the note, p. 235. The term Grildrig preserves the same idea, this being the name bestowed on Gulliver by the gigantic inhabitants of Brobdignag.—EDIT.

better would it become the dignity of the House of Commons to speak plainly to the people, and tell us at once, *that their will must be obeyed, not because it is lawful and reasonable, but because it is their will.* Their constituents would have a better opinion of their candour, and, I promise you, not a worse opinion of their integrity.

PHILO JUNIUS.

LETTER XLIX.

TO HIS GRACE THE DUKE OF GRAFTON.[1]

MY LORD, 22 *June*, 1771.

THE profound respect I bear to the gracious prince, who governs this country with no less honour to himself than satisfaction to his subjects, and who restores you to your rank under his standard, will save you from a multitude of reproaches. The attention I should have paid to your failings is involuntarily attracted to the hand that rewards them; and though I am not so partial to the royal judgment, as to affirm, that the favour of a king can remove mountains of infamy, it serves to lessen at least, for undoubtedly it divides, the burthen. While I remember how much is due to *his* sacred character, I cannot, with any decent appearance of propriety, call you the meanest and the basest fellow in the kingdom. I protest, my Lord, I do not think you so. You will have a dangerous rival, in that kind of fame to which you have hitherto so happily directed your ambition, as long as there is one man living, who thinks you worthy of his confidence, and fit to be trusted with any share in his government. I confess you have great intrinsic merit; but take care you do not value it too highly. Consider how much of it would have been lost to the world, if the king had not graciously affixed his stamp, and given it currency among his subjects. If it be true that a virtuous man, struggling with adversity, be a scene worthy of the gods, the glorious contention between you and the best of princes, deserves a circle, equally attentive and respectable. I think I already see other gods rising from the earth to behold it.

But this language is too mild for the occasion. The king is determined that our abilities shall not be lost to society. The perpetration and description of new crimes will find employment for us both. My Lord, if the persons who have been loudest in their professions of patriotism, had done their duty to the public with the same zeal and perseverance that I did, I will not assert that government would have recovered its dignity, but at least our gracious sovereign must have spared his subjects this last insult,[2] which, if there be any feeling left among us, they will resent more than even the real injuries they received from every measure of your Grace's administration. In vain would he have looked round him for another character so consummate as yours. Lord Mansfield shrinks from his principles;[3] — his ideas of government perhaps go farther than your

[1] The author, in Private Note, No. 35, speaking of this letter, says, 'I am strangely partial to the inclosed. It is finished with the utmost care. If I find myself mistaken in my judgment of this paper, I positively will never write again.' The reader will doubtless give the writer full credit for the correctness of his opinion in the present instance.—EDIT.

[2] The duke was lately appointed Lord Privy Seal.—AUTHOR. He succeeded lord Suffolk, who had just taken possession of the post of the northern department, upon the death of the earl of Halifax.—EDIT.

[3] He refers to lord Mansfield's call of the House upon the subject of the opinion of the judges, in consequence of the verdict of the jury upon Woodfall's trial—which embraced the question whether juries were judges of the fact alone, or of the law conjunctively. An important motion was expected, but his Lordship, as our author states it, *shrunk* from the principles he had advanced, and merely informed the House that he had left a paper with their clerk, containing the unanimous judgment of the Court of King's Bench upon the verdict in question, and the doctrine it necessarily embraced; and that their Lordships were welcome to copies of it if they chose.

See the whole detailed together, with lord Camden's counter-paper, in editor's note, p. 117. See also Miscellaneous Letters, No. LXXXII.—EDIT.

own, but his heart disgraces the theory of his understanding.—Charles Fox is yet in blossom; and as for Mr Wedderburne, there is something about him which even treachery cannot trust. For the present, therefore, the best of princes must have contented himself with lord Sandwich.—You would long since have received your final dismission and reward; and I, my Lord, who do not esteem you the more for the high office you possess, would willingly have followed you to your retirement. There is surely something singularly benevolent in the character of our sovereign. From the moment he ascended the throne, there is no crime, of which human nature is capable (and I call upon the Recorder[1] to witness it), that has not appeared venial in his sight.[2] With any other prince, the shameful desertion of him, in the midst of that distress, which you alone had created,—in the very crisis of danger, when he fancied he saw the throne already surrounded by men of virtue and abilities,—would have outweighed the memory of your former services. But his Majesty is full of justice, and understands the doctrine of compensations. He remembers with gratitude how soon you had accommodated your morals to the necessities of his service;—how cheerfully you had abandoned the engagements of private friendship, and renounced the most solemn professions to the public. The sacrifice of lord Chatham was not lost upon him. Even the cowardice and perfidy of deserting him may have done you no disservice in his esteem. The instance was painful, but the principle might please.

You did not neglect the magistrate, while you flattered the *man*. The expulsion of Mr Wilkes, predetermined in the cabinet;—the power of depriving the subject of his birthright, attributed to a resolution of one branch of the legislature;—the constitution impudently invaded by the House of Commons;—the right of defending it treacherously renounced by the House of Lords:[3]—These are the strokes, my Lord, which, in the present reign, recommend to office, and constitute a minister. They would have determined your sovereign's judgment, if they had made no impression upon his heart. We need not look for any other species of merit to account for his taking the earliest opportunity to recall you to his councils. Yet you have other merit in abundance.—Mr Hine,—the duke of Portland,—and Mr Yorke.—Breach of trust, robbery, and murder.[4] You would think it a compliment to your gallantry, if I added rape to the catalogue;—but the style of your amours secures you from resistance. I know how well these several charges have been defended. In the first instance, the breach of trust is supposed to have been its own reward. Mr Bradshaw affirms upon his honour, (and so may the gift of smiling never depart from him!) that you reserved no part of Mr Hine's purchase-money for your own use, but that every shilling of it was scrupulously paid to governor Burgoyne.—Make haste, my Lord,—another patent, applied in time, may keep the OAKS[5] in the family.—If not, Birnham Wood, I fear, must come to the *maccaroni*.[6]

The duke of Portland was in life your earliest friend. In defence of his property he had nothing to plead, but equity against sir James Lowther, and prescription against the crown.[7] You felt for your friend; *but*

[1] The late chief justice Eyre was, at this time, recorder of London.—EDIT.

[2] The author here more particularly alludes to the pardon of M'Quirk and the Kennedys. See Letter VIII., and note, p. 149.—EDIT.

[3] See pages 238, 239.—EDIT.

[4] These points have all been noticed before—they relate to Hine's patent place; Inglewood Forest, &c. in Cumberland, granted to sir James Lowther by the crown, although it had been in possession of the duke of Portland's family for seventy years;—and the suicide of Charles Yorke, the lord chancellor, who cut his throat from political chagrin, immediately after his appointment.—EDIT.

[5] A superb villa of col. Burgoyne, about this time advertised for sale.

[6] The person alluded to is the father of the present Mr Christie, who was the auctioneer employed to sell the estate.—EDIT.

[7] Sir James Lowther was son-in-law to lord Bute by the marriage of one of his daughters.—EDIT.

the law must take its course. Posterity will scarce believe that lord Bute's son-in-law had barely interest enough at the Treasury to get his grant completed before the general election.[1]

Enough has been said of that detestable transaction, which ended in the death of Mr Yorke.—I cannot speak of it without horror and compassion. To excuse yourself, you publicly impeach your accomplice, and to *his* mind perhaps the accusation may be flattery. But in murder you are both principals. It was once a question of emulation, and if the event had not disappointed the immediate schemes of the closet, it might still have been a hopeful subject of jest and merriment between you.

This letter, my Lord, is only a preface to my future correspondence. The remainder of the summer shall be dedicated to your amusement. I mean now and then to relieve the severity of your morning studies, and to prepare you for the business of the day. Without pretending to more than Mr Bradshaw's sincerity, you may rely upon my attachment, as long as you are in office.

Will your Grace forgive me, if I venture to express some anxiety for a man, whom I know you do not love? My lord Weymouth has cowardice to plead, and a desertion of a later date than your own. You know the privy seal was intended for him; and if you consider the dignity of the post he deserted, you will hardly think it decent to quarter him on Mr Rigby. Yet he must have bread, my Lord;—or rather he must have wine.[2] If you deny him the cup, there will be no keeping him within the pale of the ministry.

JUNIUS.

[1] It will appear by a subsequent letter, that the duke's precipitation proved fatal to the grant. It looks like the hurry and confusion of a young highwayman, who takes a few shillings, but leaves the purse and watch behind him.—And yet the duke was an old offender! See Letter LXVII.

[2] Lord Weymouth, upon deserting the ministry, was succeeded in the foreign department by the earl of Rochford. The former nobleman resigned Dec. 19, 1770, and the duke of Grafton on the preceding 28th of January. Lord W—'s attachment to the bottle furnishes the ground for the imagery with which the letter concludes. —EDIT.

[3] By an intercepted letter from the secretary of the Treasury it appeared, *that the friends of government were to be very active* in supporting the ministerial nomination of sheriffs.—AUTHOR.

Robinson was now Treasury secretary, and filled the same post of confidential agent to lord North, that Bradshaw had before filled to the duke of Grafton.—EDIT.

[4] Dingley was now just dead: and our author insinuates that he died of a broken heart in consequence of having been so contemptuously treated at the preceding election for Middlesex; in which, as already observed, p. 151, he had offered himself a candidate at the request of the duke of Grafton, but could not obtain a nomination from any one freeholder, and was afraid even to nominate himself.—EDIT.

LETTER L.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 9 *July*, 1771.

THE influence of your Grace's fortunes till seems to preside over the Treasury. —The genius of Mr Bradshaw inspires Mr Robinson.[3] How remarkable it is (and I speak of it not as matter of reproach, but as something peculiar to your character), that you have never yet formed a friendship which has not been fatal to the object of it, nor adopted a cause to which, one way or other, you have not done mischief. Your attachment is infamy while it lasts, and whichever way it turns, leaves ruin and disgrace behind it. The deluded girl, who yields to such a profligate, even while he is constant, forfeits her reputation as well as her innocence, and finds herself abandoned at last to misery and shame. ——Thus it happened with the best of princes. Poor Dingley too![4]—I protest I hardly know which of them we ought most to lament;—the unhappy man who sinks under the sense of his dishonour, or him who survives it. Characters, so finished, are placed beyond the reach of panegyric. Death has fixed his seal upon Dingley, and you, my Lord, have set your mark upon the other.

The only letter I ever addressed to the

king, was so unkindly received, that I believe I shall never presume to trouble his Majesty, in that way, again. But my zeal for his service is superior to neglect, and like Mr Wilkes's patriotism, thrives by persecution. Yet his Majesty is much addicted to useful reading, and, if I am not ill-informed, has honoured the *Public Advertiser* with particular attention. I have endeavoured, therefore, and not without success (as perhaps you may remember), to furnish it with such interesting and edifying intelligence, as probably would not reach him through any other channel. The services you have done the nation,—your integrity in office, and signal fidelity to your approved good master, have been faithfully recorded. Nor have his own virtues been entirely neglected. These letters, my Lord, are read in other countries and in other languages; and I think I may affirm without vanity, that the gracious character of the best of princes is by this time not only perfectly known to his subjects, but tolerably well understood by the rest of Europe. In this respect alone, I have the advantage of Mr Whitehead.[1] His plan, I think, is too narrow. He seems to manufacture his verses for the sole use of the hero, who is supposed to be the subject of them, and, that his meaning may not be exported in foreign bottoms, sets all translation at defiance.

Your Grace's re-appointment to a seat in the cabinet was announced to the public by the ominous return of lord Bute to this country.[2] When that noxious planet approaches England, he never fails to bring plague and pestilence along with him. The king already feels the malignant effect of your influence over his councils. Your former administration made Mr Wilkes an alderman of London, and representative of Middlesex. Your next appearance in office is marked with his election to the shrievalty. In whatever measure you are concerned, you are not only disappointed of success, but always contrive to make the government of the best of princes contemptible in his own eyes, and ridiculous to the whole world. Making all due allowance for the effect of the minister's declared interposition, Mr Robinson's activity,[3] and Mr Horne's new zeal in support of administration,[4] we still want the genius of the duke

[1] Poet-laureat of the day.—EDIT.

[2] From the continent, over a part of which he had been for some time travelling.—EDIT.

[3] JUNIUS was charged by the writers of the day, as well as by a more recent opponent, with having 'debased his pretensions to greatness by engaging unsuccessfully *in city politics*.' He, however, does not appear to have been the only unsuccessful politician who had plunged into the mire of metropolitan politics, as the following letter from that celebrated character, Jack Robinson, will evince. It was written during the election of sheriffs of London, and is that alluded to in note [3], p. 274.

'Mr Robinson presents his compliments to Mr Smith. Mr Harley meets his ward publicly to-day, to support aldermen Plumbe and Kirkman. The friends of government will be very active, and it is earnestly desired that you will exert yourself to the utmost of your power to support those aldermen. It is thought it will be very advantageous to push the poll to-day with as many friends as possible, therefore it is desired that you will pursue that conduct. Mr Harley will be early in the city to-day, and to be heard of at his counting-house in Bridge-yard, Bucklersbury, and if you, or such person as you intrust in this matter, could see him to consult thereon, it might be beneficial to the cause.

'Tuesday morning, 25th June, 1771, six o'clock.

'To Benj. Smith, Esq.'

'J. Robinson.'

This letter, intended for Mr Benjamin Smith, the partner of Mr Alderman Nash, of Cannon-street, was, through the mistake of the messenger, delivered to Mr Smith of Budge-row, who published it, together with an affidavit as to its verity, which had such an effect on the election, that Mr Bull, who at the time was fourth on the poll, was ultimately returned as one of the sheriffs of London, in conjunction with Mr Wilkes, another of the candidates for that important office.—EDIT.

[4] Horne had long zealously fought on the side of the staunchest Whigs, and was an active member of the society for the support of the Bill of Rights which had just discharged Wilkes's debts. Alderman Oliver, who had also been as zealous an advocate on the same side, and had suffered himself to be committed with the lord mayor to the Tower, in support of his principles, for some reason or other became at this time jealous of the popularity of Wilkes, affected to rival him, and refused to serve in the office of sheriff, if Wilkes were allowed to be his colleague. Horne joined with Townshend, and the society for the support of the Bill of Rights became divided into two grand parties.

of Grafton to account for committing the whole interest of government in the city, to the conduct of Mr Harley. I will not bear hard upon your faithful friend and emissary Mr Touchet, for I know the difficulties of his situation, and that a few lottery tickets are of use to his economy. There is a proverb concerning persons in the predicament of this gentleman, which however cannot be strictly applied to him. *They commence dupes, and finish knaves.* Now, Mr Touchet's character is uniform. I am convinced that his sentiments never depended upon his circumstances, and that, in the most prosperous state of his fortune, he was always the very man he is at present.—But was there no other person of rank and consequence in the city, whom government could confide in, but a notorious Jacobite? Did you imagine that the whole body of the dissenters,[1] that the whole Whig interest of London would attend at the levee, and submit to the directions of a notorious Jacobite? Was there no Whig magistrate in the city, to whom the servants of George the Third could intrust the management of a business, so very interesting to their master as the election of sheriffs? Is there no room at St James's but for Scotchmen and Jacobites? My Lord, I do not mean to question the sincerity of Mr Harley's attachment to his Majesty's government. Since the commencement of the present reign, I have seen still greater contradictions reconciled. The principles of these worthy Jacobites are not so absurd as they have been represented. Their ideas of divine right are not so much annexed to the person or family, as to the political character of the sovereign. Had there ever been an honest man among the *Stuarts*, his Majesty's present friends would have been Whigs upon principle. But the conversion of the best of princes has removed their scruples. They have forgiven him the sins of his Hanoverian ancestors, and acknowledge the hand of Providence in the descent of the crown upon the head of a true *Stuart*. In you, my Lord, they also behold with a kind of predilection, which borders upon loyalty, the natural representative of that illustrious family. The mode of your descent from Charles the Second is only a bar to your pretensions to the crown, and no way interrupts the regularity of your succession to all the virtues of the *Stuarts*.

The unfortunate success of the reverend Mr Horne's endeavours, in support of the ministerial nomination of sheriffs, will, I fear, obstruct his preferment. Permit me to recommend him to your Grace's protection. You will find him copiously gifted with those qualities of the heart, which usually direct you in the choice of your friendships. He too was Mr Wilkes's friend, and as incapable as you are of the liberal resentment of a gentleman. No, my Lord, —it was the solitary, vindictive malice of a monk, brooding over the infirmities of his friend, until he thought they quickened into public life; and feasting with a rancorous rapture, upon the sordid catalogue of his distresses.[2] Now, let him go back to his cloister. The church is a proper retreat for him. In his principles he is already a bishop.

The mention of this man has moved me from my natural moderation. Let me return to your Grace. You are the pillow, upon which I am determined to rest all my resentments. What idea can the best of sovereigns form to himself of his own government?—In what repute can he conceive that he stands with his people, when he sees, beyond the possibility of a doubt, that, whatever be the office, the suspicion of

Wilkes united with Alderman Bull in proposing himself for the shrievalty, and in the contest that ensued between them with Oliver, Kirkman, and Plumbe, obtained a large majority both for himself and his colleague, leaving Oliver, though supported by all the efforts of Horne, the lowest on the poll.

It was in consequence of the conduct thus pursued by Horne, and which was fatal to the popular cause, that JUNIUS chose to represent him as bribed by the ministry.—EDIT.

[1] The family of the Harleys were originally dissenters, and the allusion is to this fact.—EDIT.

[2] See editor's note to Letter LII., p. 279.—EDIT.

his favour is fatal to the candidate, and that, when the party he wishes well to has the fairest prospect of success, if his royal inclination should unfortunately be discovered, it drops like an acid, and turns the election. This event, among others, may perhaps contribute to open his Majesty's eyes to his real honour and interest. In spite of all your Grace's ingenuity, he may at last perceive the inconvenience of selecting, with such a curious felicity, every villain in the nation to fill the various departments of his government. Yet I should be sorry to confine him in the choice either of his footmen or his friends.

JUNIUS.

LETTER LI.

FROM THE REVEREND MR HORNE TO JUNIUS.

SIR, 13 *July*, 1771.

FARCE, *Comedy*, and *Tragedy*,—*Wilkes*, *Foote*, and *Junius*,[1] united, at the same time, against one poor parson, are fearful odds. The two former are only labouring in their vocation, and may equally plead in excuse, that their aim is a livelihood. I admit the plea for the *second;* his is an honest calling, and my clothes were lawful game ; but I cannot so readily approve Mr Wilkes, or commend him for making patriotism a trade, and a fraudulent trade. But what shall I say to JUNIUS? the grave, the solemn, the didactic! ridicule, indeed, has been ridiculously called the test of truth ; but surely to confess that you lose your *natural moderation* when mention is made of the man, does not promise much truth or justice when you speak of him yourself.

You charge me with 'a new zeal in support of administration,' and with 'endeavours in support of the ministerial nomination of sheriffs.' The reputation which your talents have deservedly gained to the signature of JUNIUS, draws from me a reply, which I disdained to give to the anonymous lies of Mr Wilkes. You make frequent use of the word *gentleman;* I only call myself a *man*, and desire no other distinction : if you are either, you are bound to make good your charges or to confess that you have done me a hasty injustice upon no authority.

I put the matter fairly to issue.—I say, that so far from any new 'zeal in support of administration,' I am possessed with the utmost abhorrence of their measures : and that I have ever shown myself, and am still ready, in any rational manner, to lay down all I have—my life, in opposition to those measures. I say, that I have not, and never have had, any communication or connexion of any kind, directly or indirectly, with any courtier or ministerial man, or any of their adherents ; that I never have received, or solicited, or expected, or desired, or do now hope for, any reward of any sort, from any party or set of men in administration or opposition ; I say, that I never used any 'endeavours in support of the ministerial nomination of sheriffs.' That I did not solicit any one liveryman for his vote for any one of the candidates ; nor employ any other person to solicit : and that I did not write one single line or word in favour of Messrs Plumbe and Kirkman,[2] whom I understand to have been supported by the ministry.——

You are bound to refute what I here advance, or to lose your credit for veracity : You must produce facts ; surmise and general abuse, in however elegant language, ought not to pass for proofs. You have

[1] Foote, availing himself of the growing unpopularity of Mr Horne at the present moment, had ventured to caricature him on the stage. While therefore Mr Horne pretends to tremble beneath the *comic* efforts of Foote and the *tragic* efforts of JUNIUS, he still wishes the world to regard Wilkes's opposition to him as a mere *farce*. —EDIT.

[2] Plumbe and Kirkman were the real government candidates for the shrievalty. Oliver stood alone. Yet JUNIUS, availing himself of this last gentleman's opposition to Wilkes, was shrewdly desirous of impressing on the world an idea that they had all been supported by government, with a view of throwing out Wilkes and his avowed colleague Bull.—EDIT.

every advantage, and I have every disadvantage; you are unknown, I give my name: all parties, both in and out of administration, have their reasons (which I shall relate hereafter) for uniting in their wishes against me: and the popular prejudice is as strongly in your favour, as it is violent against the parson.[1]

Singular as my present situation is, it is neither painful, nor was it unforeseen. He is not fit for public business who does not even at his entrance prepare his mind for such an event. Health, fortune, tranquillity, and private connexions I have sacrificed upon the altar of the public; and the only return I receive, because I will not concur to dupe and mislead a senseless multitude, is barely, that they have not yet torn me in pieces. That this has been the only return, is my pride; and a source of more real satisfaction than honours or prosperity. I can practise before I am old, the lessons I learned in my youth; nor shall I ever forget the words of my ancient monitor,[2]

'Tis the last key-stone
That makes the arch: the rest that there were put,
Are nothing till that comes to bind and shut.
Then stands it a triumphal mark! then men
Observe the strength, the height, the why and when
It was erected; and still walking under,
Meet some new matter to look up and wonder!'

JOHN HORNE.

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[1] This paragraph Mr Horne was accused of borrowing from Mr Hugh Kelly, author of False Delicacy, and several other dramatic pieces, as will appear from the following letter addressed to that gentleman:—

For the Public Advertiser.

TO THE REV. MR HORNE.

SIR, *July 20th*, 1771.

HAPPENING to be at a distance from London, your letter to JUNIUS did not fall into my hands till yesterday, when I confess I read it with equal astonishment and indignation; and though it may be inconsistent with the generosity of an Englishman to strike the *fallen*, there is something so peculiarly unmanly in your conduct, that it is impossible to let you escape without some *memorandums* of your judgment when the case *is*, and when the case *is not* your own.

Do you remember, Sir, Friday, April 30, 1771, when you harangued the freeholders of Middlesex for three tedious hours at the assembly-room at Mile End; when you urged random accusations yourself against others for their supposed connexion with government; when you particularly attacked Mr Kelly as the immediate champion of administration, and affirmed with great pathos that he was employed at the soldier's trial at Guildford to vindicate the wanton effusion of innocent blood.

I have no connexion with Mr Kelly, Sir, nor do I by any means profess myself of his political faith: But if fame says true, he has been no apostate to his principles; has betrayed no friendship; and I introduce him solely here, that the world may see how conformable the tenor of Mr Horne's conduct is to the candour of his professions. The following, Sir, is your speech relative to the Guildford affair:

'It is necessary to give you an account of Maclean's trial; because the judge forbad its being taken down by any one *except it was government*—It has never been published—A very false account of this trial has indeed been published by Mr Kelly, who was *paid* and *brought* down to Guildford for that *purpose*, and who had lodgings taken for him there, and who was familiarly conversant with a gentleman, whose name I shall not mention now, lest it should seem to proceed from resentment in me, for an account I have to settle with him next week: However, one circumstance I ought to tell you; This gentleman was foreman of the grand jury.'

Mr Kelly, in the address prefixed to his play, which you and other advocates for the *freedom* of the press so basely drove from the theatre, after saying some civil things relative to the character which he had heard of your disposition, and which your perfidy to that true friend of the constitution, Mr Wilkes, has clearly proved you never merited, thus expresses himself:

'But though Mr Kelly readily makes this concession in favour of Mr Horne's private character, he must observe that the constitution of this country, for the purity of which Mr Horne is so strenuous an advocate, does not allow the mere *belief* of any man to be *positive* evidence; nor compliment his simple *conjecture* with the force of a *fact*—For this reason Mr Horne should be extremely cautious how he asserts any thing to the prejudice of another's reputation: *Hearsay* authority is not enough for this purpose; he should know of his own *knowledge* what he asserts upon his own *word*; and be certain in his *proof* where he is peremptory in his *accusation*.'

Honestly now, Mr Horne, had you not this paragraph either in your head, or your heart, at the time you were writing the following passage to JUNIUS?

'You are bound to *refute*,' &c.

WHIPCORD.

To this letter Mr Horne did not return any answer.—EDIT.

[2] B. Jonson, of whose writings Mr Horne Tooke was remarkably fond. The Sad Shepherd of that author is called his favourite poem in the 'Diversions of Purley.' The present quotation is from his Underwoods: *vide* an epistle to sir

LETTER LII.

TO THE REVEREND MR HORNE.

SIR, 24 *July*, 1771.

I CANNOT descend to an altercation with you in the newspapers. But since I have attacked your character, and you complain of injustice, I think you have some right to an explanation. You defy me to prove, that you ever solicited a vote, or wrote a word in support of the ministerial aldermen. Sir, I did never suspect you of such gross folly. It would have been impossible for Mr Horne to have solicited votes, and very difficult to have written for the newspapers in defence of that cause, without being detected and brought to shame. Neither do I pretend to any intelligence concerning you, or to know more of your conduct, than you yourself have thought proper to communicate to the public. It is from your own letters I conclude that you have sold yourself to the ministry:[1] or, if that charge be too severe, and supposing it possible to be deceived by appearances so very strongly against you, what are your friends to say in your defence? Must they not confess that, to gratify your personal hatred of Mr Wilkes, you sacrificed, as far as depended upon *your* interest and abilities, the cause of the country? I can make allowance for the violence of the passions, and if ever I should be convinced that you had no motive but to destroy Wilkes, I shall then be ready to do justice to your character, and to declare to the world, that I despise you somewhat less than I do at present.—But as a public man, I must for ever condemn you. You cannot but know,—nay, you dare not pretend to be ignorant, that the highest gratification of which the most detestable * * * in this nation is capable, would have been the defeat of Wilkes. I know *that man* much better than any of you. Nature intended him only for a good-humoured fool. A systematical education, with long practice, has made him a consummate hypocrite. Yet this man, to say nothing of his worthy ministers, you have most assiduously laboured to gratify. To exclude Wilkes, it was not necessary you should solicit votes for his opponents. We incline the balance as effectually by lessening the weight in one scale, as by increasing it in the other.

The mode of your attack upon Wilkes (though I am far from thinking meanly of your abilities) convinces me, that you either want judgment extremely, or that you are blinded by your resentment. You ought to have foreseen, that the charges you urged against Wilkes could never do him any mischief. After all, when we expected discoveries highly interesting to the community, what a pitiful detail did it end in! — Some old clothes — a Welch pony, — a French footman, and a hamper of claret.[2]

Edward Sackvile, now earl of Dorset. Folio 1692, p. 553.—EDIT.

[1] The letters written by Mr Horne in the dispute with Mr Wilkes. See the subsequent note as well as one appended to Private Letter, No. 35.—EDIT.

[2] The facts here alluded to were as follow:—The late Mr Tooke, then Mr Horne, while travelling on the continent was introduced to Mr Wilkes, at that time resident in Paris, which led to a subsequent intimacy, and apparently warm friendship. Mr Horne, on leaving that gay metropolis, left behind him, in the care of Mr Wilkes, several suits of clothes of the most fashionable Parisian manufacture, being ill adapted to the clerical profession, as well as ill calculated to please the taste or suit the manners of the people of this country. In a political quarrel which occurred between these gentlemen, shortly previous to the date of this letter, and which was the subject of a long and acrimonious altercation in the Public Advertiser, Mr Horne accused Mr Wilkes with having, in the midst of his distress, pawned the clothes entrusted to his custody; with commissioning Mr H.'s brother-in-law to purchase a pony which he never paid for; with drinking claret while detained in the King's Bench prison; with endeavouring to make his brother chamberlain of London; and with retaining in his service six domestics, three of whom were French. As these, with several other charges, were detailed to the public by Mr Horne in thirteen or fourteen very long letters, the editor will not here transcribe them, but content himself with inserting several detached parts of Mr Wilkes's defence against these accusations, as they contain some curious facts, and are illustrative of the subject more particu-

Indeed, Mr Horne, the public should and *will* forgive him his claret and his footmen, and even the ambition of making his brother chamberlain of London, as long as he

larly adverted to in the text by the author:

For the Public Advertiser.

TO THE REV. MR HORNE.

SIR, *Prince's Court, Saturday, May* 18.

Your *first* letter of May 14, told me that you 'blamed my public conduct,' and 'would not open any account with me on the score of private character.' A *third* letter is this day addressed to me. Not a word hitherto 'of my public conduct,' but many false and malignant attacks about Mr Wildman, your brother-in-law, who formerly kept the Bedford Head in Southampton Street, Covent Garden, and your *old clothes*. The public will impute the impertinence of such a dispute to its author, and pardon my calling their attention for a few moments to scenes of so trifling a nature, because it is in justification of an innocent man.

When you left Paris in May 1767, you desired me to take care of your *old clothes*, for you meant to return in a few months, and they could be of no use to you in England. The morning of your departure you sent me the following letter.

Dear Sir,

According to your permission I leave with you

1 Suit of scarlet and gold } cloth.
1 Suit of white and silver }
1 Suit of blue and silver——camblet.
1 Suit of flowered silk.
1 Suit of black silk.

And 1 Black velvet surtout.

If you have any fellow-feeling you cannot but be kind to them; since they too as well as yourself are outlawed in England; and on the same account—their superior worth.

I am,

Dear Sir,

Your very affectionate,

humble Servant,

JOHN HORNE.

Paris, May 25. 1767.

This letter I returned to you at the King's Bench, and at the bottom of it the following memorandum in my own hand-writing, 'Nov. 21, 1767, sent to Mr Panchaud's in the Rue St Sauveur.' I left Paris Nov. 22, 1767, and therefore thought it proper the day before to send your clothes *where* I was sure they would be perfectly safe, to Mr Panchaud's, the great English banker's. They remained in my house, Rue des Saints Peres, only from May till the November following, nor was any demand, or request, made to me about them by Mr Wildman, or any one else. You are forced to own 'I have received a letter within the last three months from Mr Panchaud, informing me that they (*the clothes*) have *long* been in his possession.' Examine the banker's books. You will find the date is Nov. 21, 1767. You say, 'for my own part I never made the least inquiry after my clothes.' I suppose for the plainest reason in the world. You knew where they were, and that they could be no part of a clergyman's dress in England, but that you were sure of so *rich a wardrobe* on your next tour to France or Italy, as Paris would probably be your route. This is all I know of the *vestimenta pretiosa* of *Eutrapelus*. I hope, Sir, the putting them on will not have the same effect on you as they formerly had on his acquaintance.

Cum *pulcris tunicis* sumet nova consilia et spes;
Dormiet in lucem; *scorto* postponet honestum
Officium; *nummos alienos pascet.*

Your charge about your brother-in-law, Mr Wildman, is equally unjust. When I was in England in October, 1766, I lodged at Mr Wildman's house in Argyle Buildings, on his own pressing invitation. I had long known him, and for several years belonged to a club, which met once a week at the Bedford Head. Mr Wildman desired to be considered at this time as the warm partisan of Mr Wilkes. He begged that he might be useful as far as he could to me and my friends. I asked him to buy a little Welch horse for a lady in France, to whom I was desirous of paying a compliment. I fixed the price, and insisted on paying him at that very time, which I did. About a year afterwards Mr Wildman fulfilled my commission, purchased me a Welch pony, and sent it to Calais. This was the single transaction of my own with your brother-in-law at that time. I gave him two or three trifling commissions from Monsieur *Saint Foy* for arrack, &c., which were to be forwarded to Paris. I believe they were sent, but they never passed through my hands, nor do I know whether Mr Wildman has yet been paid for those trifles, the whole of which amounted only, as he told me, to about thirty pounds.

Your endeavours to create a coolness between Mr Cotes and me are clearly seen through, and will prove ineffectual. You made the same attempt on the late Mr Sterne and me with the same success. In your letter to me at Paris, dated Jan. 3, 1766, you say, 'I passed a week with Sterne at Lyons, and am to meet him again at Sienna in the summer—Forgive my question, and do not answer it, if it is impertinent. Is there any cause of coldness between you and Sterne; he speaks very handsomely of you, when it is absolutely necessary to speak at all; but not with that *warmth and enthusiasm*, that I expect from every one that knows you. Do not let me cause a coldness between you if there is none. I am sensible my question is at least imprudent, and my jealousy blameable.'

In your second letter you say, 'the nature of our *intercourse*, for it cannot be called a *connexion*,' and afterwards, 'in my return from Italy to England in the year 1767, I saw reasons sufficient *never more to trust you with a single line*;' and in your third letter you pretend that you had even in 1767 'infinite contempt for the very name of Mr Wilkes.' However, on the 17th of last May, you write me another letter on

stands forth against a ministry and parliament, who are doing every thing they can to enslave the country, and as long as he is a thorn in the king's side. You will not

my going to Fulham, while my house here was repairing, to recommend *six* tradesmen to me, to tell me how *most sincerely* you were mine, &c. You add, 'I could not forbear showing my *friendship* to you by letting you know your friends.' You will find, Sir, that it requires more memory as well as wit than falls to one man's share to support a long chain of falsehoods. You are lost and bewildered in the intricacies of error. The path of truth you would find more easy and honourable.

You assert, 'I found that all the private letters of your friends were regularly pasted in a book, and read over indiscriminately, not only to your friends and acquaintance, but to every visitor.' I glory, Sir, in having four large volumes of manuscript letters, many of them written by the first men of this age. I esteem them my most valuable possession. Why is the pleasure of an elegant and instructive epistle to perish with the hour it is received? To the care and attention of Cicero's friends in preserving that great Roman's letters we owe the best history of Rome for a most interesting period of about forty years. You mistake when you talk of *all the private letters of your friends.* My care has extended only to letters of particular friends on particular occasions, or to letters of business, taste, or literature. The originals of such I have preserved; never any copies of my own letters, unless when I wrote to a secretary of state, to a Talbot, a Martin, or a Horne. When you add, 'that they are read over indiscriminately, not only to your friends and acquaintance, but to every visitor,' you knowingly advance a falsehood. So much of your time has passed with me, that you are sensible very few of my friends have ever heard of the volumes I mentioned. The preservation of a letter is surely a compliment to the writer. But although I approve the preservation in general, I highly disapprove the publication of any private letters. However, there are cases which justly call them forth to light. Mr Onslow's first letter was after great importunity from you printed by me, to justify what you had said at Epsom. The second you printed, without my consent, from a copy I suffered you to take.

The *pamphlet* you mention has *not yet been published.* I have now before me the copy, corrected with your own hand, which you gave me at Paris. The following passage I am sure you will read at this time with particular satisfaction, and I reserve it for you *pour la bonne bouche.*

'We have seen, by *Mr Wilkes's* treatment, that no man who is not, and who has not always been, absolutely perfect himself, must dare to arraign the measures of a minister.

'It is not sufficient that he pay an inviolable regard to the laws; that he be a man of the strictest and most unimpeached honour; that he be endowed with superior abilities and qualifications; that he be blessed with a benevolent, generous, noble, free soul; that he be inflexible, incorruptible, and brave; that he prefer infinitely the public welfare to his own interest, peace, and safety; that his life be ever in his hand, ready to be paid down chearfully for the liberty of his country; and that he be dauntless and unwearied in her service.—All this avails him nothing.

'If it can be proved (though by the base means of *treachery* and *theft*) that in some unguarded, wanton hour he has uttered an indecent word, or penned a loose expression——Away with such a fellow from the earth;——it is not fit that he should live.'

* * * * * *

After a variety of accusations of *private* crimes you affect to cover the whole with the veil of *hypocrisy.* You say, 'I have mentioned these circumstances not as any charges against you, though no doubt they will operate as such.' Had your turn, Sir, been to divinity, in the subtleties of the schools you would have outshone Thomas Aquinas or Duns Scotus, in treachery even the priest *Malagrida.*

You have in your late letters to me accused me of almost *every crime*, of which the most diabolical heart is capable. When you wrote the letters to sir William Beauchamp Proctor, I had only *one crime*, of which I own I have not repented. '*Mr Wilkes's crime* is well known to have been his opposing and exposing the measures of *lord Bute.*

'The two Humes, Johnson, Murphy, Ralph, Smollett, Shebbeare, &c. &c., all authors pensioned, or promised, had been let loose on him in vain. The lord steward of his Majesty's household (who has *therefore* continued in that post through every revolution of ministry), and the treasurer to the Princess Dowager of Wales (who together with that office has a pension for himself and a reversion for his son), had separately endeavoured to commit a murder on his body, with as little success as *others had attempted his reputation:* For they found him *tam Marte quam Mercurio.*

'The intended assassination of him by *Forbes* and *Dun* had miscarried.

'The secretaries of state had seized his papers, and confined his person to close imprisonment. They had trifled with and eluded the Habeas Corpus. But still *he rose superior to them all, and baffled alone the insatiable malice of all his persecutors;* for though they had in a manner ruined his private fortunes, *his public character remained entire.* They had spilt his blood indeed; but they had not taken his life, and with it still were left

The unconquerable mind, and freedom's holy flame.

It remained then to make one general attack upon him at once of every power of the state, each in its separate capacity. The reverend name of Majesty itself was misapplied to this business. The House of Lords, the House of Commons, and the Court of King's Bench, through the little

suspect me of setting up *Wilkes* for a perfect character. The question to the public, is, where shall we find a man, who, with purer principles, will go the lengths and run the hazards that he has done? the season calls for such a man, and he ought to be supported. What would have been the triumph of that odious hypocrite and his minions, if *Wilkes* had been defeated! It was not *your* fault, reverend Sir, that he did not enjoy it completely.—But now I promise you, you have so little power to do mischief, that I much question whether the ministry will adhere to the promises they have made you. It will be in vain to say that *I* am a partisan of Mr Wilkes, or personally *your* enemy. You will convince no man, for you do not believe it yourself. Yet, I confess, I am a little offended at the low rate, at which you seem to value my understanding. I beg, Mr Horne, you will hereafter believe that I measure the in-

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agency of Carrington, Kidgell, Curry, Webb, Faden, Sandwich, made one general assault.'

* * * * * *

As you mention a promise you had obtained of being one of the *chaplains to his Majesty*, I shall conclude my present extracts with the following passage, which will show how peculiarly fitted you are to be a *domestic chaplain* to our *present Sovereign*.

'Sheridan is at Blois, *by order of his Majesty*, and with a pension; inventing a method to give the proper pronunciation of the English language to strangers, by means of sounds borrowed from their own. And he begins with the French.

'I remember a few years ago when an attempt was made to prove lord Harborough an *idiot*. The counsel on both sides produced the same instance; one of his wit, the other of his folly. His servants were puzzled once to unpack a large box, and his Lordship advised them to do with it as they did with oysters—put it in the fire, and it would gape.

'This commission of Sheridan appears to me equally equivocal. And should *a similar statute be at any time attempted against his Majesty*, they who do not know him may be apt to suspect that he employed Sheridan in this manner, not so much for the sake of foreigners as of his own subjects; and had permitted him to amuse himself abroad, to prevent his spoiling our pronunciation at home.'

* * * * * *

Am I to answer your impertinence about claret and French servants? It shall be in one word. I have not purchased a bottle of claret since I left the King's Bench. Only two French servants are in my family. An old woman, who has many years attended my daughter, and a footman, whom I esteem, as I have often told you, not as a Frenchman, but for his *singular fidelity* to an Englishman during a course of several years, when I had the honour of being exiled. I have reason to believe that from hence originated your hatred to him.

* * * * * *

You assert, 'though I knew not the person of any one man in opposition, I quitted all my friends and connexions when I joined the public cause; and with my eyes open, exchanged ease and fair fame for labour and reproach.' I desire to know what one friend, and what single connexion, you have quitted for the public cause.

Your *fair fame* at Eton and Cambridge survived a very short time your abode at either of these places. Will you call an Italian gentleman now in town, your confident during your whole residence at *Genoa*, to testify the morality of your conduct in Italy?—But I will not write the life of Jonathan Wild, nor of Orator Henley.

You declare '*ministerial and court favour* I know I can never have, and for *public favour* I will never be a candidate: I chuse to tell them that, as far as it affects myself, *I laugh at the displeasure of both*.' You well know that no minister will ever dare *openly* to give you any mark of *court favour*, at least in the *church*; many *secret favours* you may, you do expect, and some I believe actually receive. The *public* you have abandoned in despair, after an assiduous courtship of near four years, but remember, Sir, when you say, that *you laugh at their displeasure*, the force of truth has extorted even from lord Mansfield the following declaration: 'the people are almost always in the right; the great may sometimes be in the wrong, but the body of the people are always in the right.'

* * * * * *

In your *first* letter you declare 'it is necessary to give a short history of the *commencement*, progress, and conclusion of the intercourse between us.' In your *second* you say the nature of our intercourse (for it cannot be called a connexion) will best appear from the *situation* of each of us at its *commencement*.' Your *situation* shall be explained by yourself from the words of the first letter you ever wrote to me.

'You are entering into a correspondence with a *parson*, and I am a little apprehensive lest that title should disgust you: But give me leave to assure you I am not ordained a hypocrite.

'It is true, I have suffered the infectious hand of a bishop to be waved over me; whose imposition, like the sop given to Judas, is only a signal for the devil to enter. It is true that usually at that touch——fugiunt pudor, verumque, fidesque. In quorum subeunt locum fraudes, dolique, insidiæque, &c. &c.; but I hope I have escaped the contagion: And if I have not, if you should at any time discover the BLACK spot under the tongue, assist me kindly to conquer the prejudices of education and profession.'

I am, Sir, &c.

JOHN WILKES.—EDIT.

tegrity of men, by their conduct, not by their professions. Such tales may entertain Mr Oliver, or your grandmother, but trust me, they are thrown away upon JUNIUS.

You say you are a *man*. Was it generous, was it manly, repeatedly to introduce into a newspaper the name of a young lady,[1] with whom you must heretofore have lived on terms of politeness and good humour?—but I have done with you. In *my* opinion, your credit is irrecoverably ruined. Mr *Townshend*, I think, is nearly in the same predicament.—Poor *Oliver* has been shamefully duped by you. You have made him sacrifice all the honour he got by his imprisonment. — As for Mr *Sawbridge*,[2] whose character I really respect, I am astonished he does not see through your duplicity. Never was so base a design so poorly conducted.—This letter, you see, is not intended for the public, but if you think it will do you any service, you are at liberty to publish it.

JUNIUS.[3]

LETTER LIII.

FROM THE REVEREND MR HORNE TO JUNIUS.

SIR, 31 *July*, 1771.

YOU have disappointed me. When I told you that surmise and general abuse, in however elegant language, ought not to pass for proofs, I evidently hinted at the reply which I expected: but you have dropped your usual elegance, and seem willing to try what will be the effect of surmise and general abuse in very coarse language. Your answer to my letter (which I hope was cool and temperate and modest) has convinced me that my idea of a *man* is much superior to yours of a *gentleman*. Of your former letters I have always said *materiem superabat opus*: I do not think so of the present; the principles are more detestable than the expressions are mean and illiberal. I am contented that all those who adopt the one should for ever load me with the other.

I appeal to the common sense of the public, to which I have ever directed myself: I believe they have it; though I am sometimes half inclined to suspect that Mr Wilkes has formed a truer judgment of mankind than I have. However, of this I am sure, that there is nothing else upon which to place a steady reliance. Trick, and low cunning, and addressing their prejudices and passions, may be the fittest means to carry a particular point; but if they have not common sense, there is no prospect of gaining for them any real permanent good. The same passions which have been artfully used by an honest man for their advantage, may be more artfully employed by a dishonest man for their destruction. I desire them to apply their common sense to this letter of JUNIUS, not for my sake, but their own; it concerns them most nearly, for the principles it contains lead to disgrace and ruin, and are inconsistent with every notion of civil society.

The charges which JUNIUS has brought against me are made ridiculous by his own inconsistency and self-contradiction. He charges me positively with 'a new zeal in support of administration;' and with 'endeavours in support of the ministerial nomination of sheriffs.' And he assigns two inconsistent motives for my conduct: either that I have '*sold* myself to the ministry;' or am instigated 'by the solitary,

[1] Horne had taken liberties with the name of Miss Wilkes in his public letters in some of the newspapers — and liberties which no misconduct of hers had entitled him to take.—EDIT.

[2] Townshend and Sawbridge had been persuaded by Horne to unite in supporting Oliver against Wilkes; and both, in consequence hereof, forfeited much of their popularity from this moment, and were accused of gross want of understanding, and by some of tergiversation.—EDIT.

[3] This letter was transmitted privately by the printer to Mr Horne, by JUNIUS's request. Mr Horne returned it to the printer, with directions to publish it.—AUTHOR.

The reason for such private transmission was that it was not JUNIUS's wish to increase those divisions which Horne and Oliver had so unwisely provoked in the Bill of Rights Society, by an open contest between himself and any one of its members.—EDIT.

vindictive *malice* of a monk : ' either that I am influenced by a sordid desire of *gain ;* or am hurried on by ' personal *hatred* and blinded by *resentment.'* In his letter to the duke of Grafton he supposes me actuated by both : in his letter to me he at first doubts which of the two, whether interest or revenge, is my motive : however, at last he determines for the former, and again positively asserts that ' the ministry have made me promises ; ' yet he produces no instance of corruption, nor pretends to have any intelligence of a ministerial connexion : he mentions no *cause* of personal hatred to Mr Wilkes, nor any *reason* for my resentment, or revenge ; nor has Mr Wilkes himself ever hinted any, though repeatedly pressed.[1] When JUNIUS is

[1] In one of the letters addressed to Mr Wilkes by Mr Horne, during the altercation spoken of in the preceding notes, he, the latter, thus explains himself with respect to his support of the former, as well as to the motives which induced him to withdraw it. In this extract he also gives us a general outline of his political opinions, from which he does not appear to have materially varied to the day of his death. ' I was your friend only for the sake of the public cause : that reason does in certain matters remain ; as far as it remains, so far I am still your friend ; and therefore, I said in my first letter, " the public should know how far they *ought*, and how far they *ought not*, to support you." To bring to punishment the great delinquents who have corrupted the parliament and the seats of justice ; who have encouraged, pardoned, and rewarded murder ; to heal the breaches made in the constitution, and by salutary provisions to prevent them for the future ; to replace once more, not the *administration* and *execution*, for which they are very unfit, but the *checks* of government *really* in the hands of the governed ;

' For these purposes, if it were possible to suppose that the great enemy of mankind could be rendered instrumental to their happiness, so far the devil himself should be supported by the people. For a human instrument they should go farther, he should not only be supported, but thanked and rewarded for the good which perhaps he did not intend, as an encouragement to others to follow his example. But if the foul fiend, having gained their support, should endeavour to delude the weaker part, and intice them to an idolatrous worship of himself, by persuading them that what he suggested was their voice, and their voice the voice of God : if he should attempt to obstruct every thing that leads to their security and happiness, and to promote every wickedness that tends only to his own emolument : if when—the cause—the cause—reverberates on their ears, he should divert them from the original sound, and direct them towards the opposite unfaithful echo : if confusion should be all his aim, and mischief his sole enjoyment, would not he act the part of a faithful monitor to the people, who should save them from their snares, by reminding them of the true object of their constitutional worship, expressed in those words of holy writ (for to me it is so) *Rex, Lex loquens ; Lex, Rex mutus.* This is—the cause—the cause—To make this union indissoluble is the only cause I acknowledge. As far as the support of Mr Wilkes tends to this point I am as warm as the warmest : But all the lines of your projects are drawn towards a different center—yourself ; and if with a good intention I have been diligent to gain your powers which may be perverted to mischief, I am bound to be doubly diligent to prevent their being so employed.

' The diligence I have used for two years past, and the success I have had in defeating all your shameful schemes, is the true cause of the dissension between us. I have never had any private pique or quarrel with you. It was your policy in paragraphs and anonymous letters to pretend it ; but you cannot mention any private cause of pique or quarrel.

' To prevent the mischief of division to a popular opposition, those who saw both your bad intentions and your actions were silent ; and whilst they defeated all your projects, they were cautious to conceal your defeats. They studied so much the more to satisfy your voracious prodigality, and thought, as I should have done if a minister, that if feeding it would keep you from mischief, a few thousands would be well employed by the public for that purpose. But I can never, merely for the sake of strengthening opposition, join in those actions which would prevent all the good effects to be hoped for from opposition, and for the sake of which alone any opposition to government can be justifiable. Such a practice would very well suit those who wish a change of ministers. For my part I wish no such thing ; bad as the present are, I am afraid the next will not be better, though I am sure they cannot be worse. I care not under whose administration good comes. But the people must owe it to themselves, nor ought they to receive the restoration of their rights as a favour from any set of men, minister, or king. The moment they accept it as a grant, a favour, an act of grace, the people have not the prospect of a right left. They will from that time become like the mere possessors of an estate without a title, and of which they may be dispossessed at pleasure. If the people are not powerful enough to make a bad administration or a bad king do them justice, they will not often have a good one. Would to God the time were come, which I am afraid is very distant beyond the period of my life, when an honest man could not be in opposition ; I declare I should rejoice to find the patronage of a minister in the smallest degree my honour and interest. I never have pretended

called upon to justify his accusation, he answers, 'he cannot descend to an altercation with me in the newspapers.' JUNIUS, who *exists* only in the newspapers, who acknowledges 'he has attacked my character' *there*, and 'thinks I have some right to an *explanation*;' yet this JUNIUS 'cannot descend to an altercation in the newspapers!' and because he cannot descend to an altercation with me in the newspapers, he sends a letter of abuse by the printer, which he finishes with telling me—'I am at liberty to *publish* it.' This, to be sure, is a most excellent method to avoid an altercation in the newspapers!

The *proofs* of his positive charges are as extraordinary. 'He does not pretend to any intelligence concerning me, or to know more of my conduct than I myself have thought proper to communicate to the public.' He does not suspect me of such gross folly as to have solicited votes, or to have written anonymously in the newspapers; because it is impossible to do either of these without being detected and brought to shame. JUNIUS says this! who yet imagines that he has himself written two years under that signature (and more under *others*) without being detected!—his warmest admirers will not hereafter add, without being brought to shame. But though he did never suspect me of such gross folly as to run the *hazard* of being detected and brought to shame by *anonymous* writing, he insists that I have been guilty of a much grosser folly of incurring the certainty of shame and detection by writings *signed* with my name! But this is a small flight for the towering JUNIUS: 'He is FAR from thinking meanly of my abilities,' though he is 'convinced that I want judgment extremely,' and can 'really respect Mr Sawbridge's character,' though he declares[1] him to be so poor a creature as not to be able to 'see through the basest design conducted in the poorest manner!'

to any more than to prefer the former to the latter. But it is not upon me alone that you have poured forth your abuse, but upon every man of honour who has deserved well of the public; and if you were permitted to proceed without interruption, there would shortly not be found one honest man who would not shudder to deserve well of the people.

'The true reason of our dissension being made public, is, that you could not get on a step without it; and you trust that the popularity of your name, and your diligence in paragraphing the papers, will outweigh with the people the most essential services of others; and that you shall get rid of all control by taking away from those who mean well, the confidence of the people. If you can once get them affronted by the public, whom they have faithfully served, you flatter yourself that disgust will make them retire from a scene where such a man as you are, covered with infamy like yours, has the disposal of honour and disgrace, and the characters of honest men at his mercy.

JOHN HORNE.'

To the second paragraph of this extract Mr Wilkes makes the following reply:

'I thank you for the entertainment of your sixth letter. The idea of an unfaithful echo, although not quite new and original, is perfectly amusing; but, like Bayes, you love to elevate and surprise. I wish you would give the list of echoes of this kind, which you have heard in your travels through France and Italy. I have read of only one such in a neighbouring kingdom. If you ask, *How do you do?* it answers, *Pretty well I thank you*. The sound of your unfaithful echo can only be paralleled by Jack Home's silence with a stilly sound, in the tragedy of Douglas.

> The torrent rushing o'er its pebbly banks,
> Infuses silence with a stilly sound.

I have heard of the babbling, the mimic, the shrill echo. The discovery of an unfaithful echo was reserved for Mr Horne. Really, Sir, I should have thought, notwithstanding all your rage, you might have suffered an echo to be faithful. I did not expect novelty, or variety, much less infidelity, from an echo.'—EDIT.

[1] I beg leave to introduce Mr Horne to the character of the *Double Dealer*. I thought they had been better acquainted.—'Another very wrong objection has been made by some, who have not taken leisure to distinguish the characters. The hero of the play (meaning *Mellefont*) is a gull, and made a fool, and cheated.—Is every man a gull and a fool that is deceived?—At that rate, I am afraid the two classes of men will be reduced to one, and the knaves themselves be at a loss to justify their title. But if an open, honest hearted man, who has an entire confidence in one, whom he takes to be his friend, and who (to confirm him in his opinion) in all appearance and upon several trials has been so; if this man be deceived by the treachery of the other, must he of necessity commence fool immediately, only because the other has proved a villain?'—YES, says parson *Horne*. NO, says *Congreve*, and he, I think, is allowed to have known something of human nature.

And this most base design is conducted in the poorest manner, by a man whom he does not suspect of gross folly, and of whose abilities he is FAR from thinking meanly!

Should we ask JUNIUS to reconcile these contradictions, and explain this nonsense, the answer is ready; 'he cannot descend to an altercation in the newspapers.' He feels no reluctance to attack the character of any man: the throne is not too high, nor the cottage too low: his mighty malice can grasp both extremes: he hints not his accusations as *opinion*, *conjecture*, or *inference;* but delivers them as *positive assertions*. Do the accused complain of injustice? He acknowledges they have some sort of right to an *explanation;* but if they ask for *proofs* and *facts*, he begs to be excused: and though he is no where else to be encountered—'he cannot descend to an altercation in the newspapers.'

And this perhaps JUNIUS may think 'the *liberal resentment of a gentleman:*' this skulking assassination he may call courage. In all things as in this I hope we differ:

> 'I thought that fortitude had been a mean
> 'Twixt fear and rashness; not a lust obscene,
> Or appetite of offending; but a skill
> And nice discernment between good and ill.
> Her ends are honesty and public good,
> And without these she is not understood.' [1]

Of two things however he has condescended to give proof. He very properly produces a *young lady* to prove that I am not a man: and a good *old woman*, my grandmother, to prove Mr Oliver a fool. Poor old soul! she read her Bible far otherwise than JUNIUS! she often found there that the sins of the fathers had been visited on the children; and therefore was cautious that herself and her immediate descendants should leave no reproach on her posterity: and they left none: how little could she foresee this reverse of JUNIUS, who visits my political sins upon my *grandmother!* I do not charge this to the score of malice in him, it proceeded entirely from his propensity to blunder; that whilst he was reproaching me for introducing in the most harmless manner the name of *one* female, he might himself, at the same instant, introduce *two*.

I am represented alternately, as it suits JUNIUS'S purpose, under the opposite characters of a *gloomy monk*, and a man of *politeness and good humour*. I am called '*a solitary monk*,' in order to confirm the notion given of me in Mr Wilkes's anonymous paragraphs, that I *never laugh:* and the terms of *politeness* and *good humour* on which I am said to have lived heretofore with the *young lady*, are intended to confirm other paragraphs of Mr Wilkes, in which he is supposed to have offended me by *refusing his daughter*. Ridiculous! Yet I cannot deny but that JUNIUS has proved me *unmanly* and *ungenerous* as clearly as he has shown me *corrupt* and *vindictive:* and I will tell him more; I have paid the present ministry as many *visits* and *compliments* as ever I paid to the *young lady*, and shall all my life treat them with the *same politeness and good humour*.

But JUNIUS 'begs me to believe that he measures the integrity of men by their *conduct*, not by their *professions*.' Surely this JUNIUS must imagine his readers as void of understanding, as he is of modesty! Where shall we find the standard of HIS integrity? By what are we to measure the *conduct* of this lurking assassin?—And he says this to me, whose conduct, wherever I could personally appear, has been as direct and open and public as my words; I have not, like him, concealed myself in my chamber to shoot my arrows out of the window; nor contented myself to view the battle from afar; but publicly mixed in the engagement, and shared the danger. To

[1] This quotation is also from the epistle to Sackvile. Mr Horne here made some slight alterations: perhaps he quoted from memory. For B. Jonson's

'Or science of a discerning good and ill,'

he prints,

And nice discernment between, &c.

For 'And where they want she is not understood,'

And without these, &c.

One of his alterations disturbs, however astonishing, the grammatical construction: a *skill* between *good* and *ill* is not English.—EDIT.

whom have I, like him, refused my name upon complaint of injury?[1] what printer have I desired to conceal me? in the infinite variety of business in which I have been concerned, where it is not so easy to be faultless, which of my actions can he arraign? to what danger has any man been exposed, which I have not faced? *information, action, imprisonment, or death?* what labour have I refused? what expense have I declined? what pleasure have I not renounced?—But JUNIUS, *to whom no conduct belongs*, 'measures the integrity of men by their *conduct*, not by their professions;' himself all the while being nothing but *professions*, and those too *anonymous!* The political ignorance or wilful falsehood of this *declaimer* is extreme: his own *former* letters justify both my conduct and those whom his *last* letter abuses: for the public measures, which JUNIUS has been all along defending, were ours, whom he attacks; and the uniform opposer of those measures has been Mr Wilkes, whose bad actions and intentions he endeavours to screen.

Let JUNIUS now, if he pleases, change his abuse; and quitting his loose hold of *interest* and *revenge*, accuse me of *vanity*, and call this defence *boasting*. I own I have a pride to see statues decreed and the highest honours conferred for measures and actions which all men have approved: whilst those who counselled and caused them are execrated and insulted. The darkness in which JUNIUS thinks himself shrouded has not concealed him; nor the artifice of only *attacking under that signature* those he would pull down (whilst he *recommends by other ways* those he would have promoted) disguised from me whose partisan he is. When lord Chatham can forgive the awkward situation in which for the sake of the public he was designedly placed by the thanks to him from the city;[2] and when *Wilkes's name* ceases to be necessary to lord Rockingham to keep up a clamour against the *persons* of the ministry, without obliging the different factions now in opposition to bind themselves beforehand to some certain points, and to stipulate some precise advantages to the public; then, and not till then, may those whom he now abuses expect the approbation of JUNIUS. The approbation of the public for our faithful attention to their interest by endeavours for those stipulations, which have made us as obnoxious to the factions in opposition as to those in administration, is not perhaps to be expected till some years hence; when the public will look back and see how shamefully they have been deluded; and by what arts they were made to lose the golden opportunity of preventing what they will surely experience, —a change of ministers, without a *material* change of measures, and without any security for a tottering constitution.

But what cares JUNIUS for the security of the constitution? He has now unfolded to us his diabolical principles. *As a public man he must ever condemn* any measure which may tend even accidentally to *gratify* the sovereign: and Mr Wilkes is to be supported and assisted in all his attempts (no matter how ridiculous or mischievous his projects) *as long as he continues to be a thorn in the king's side!*—The *cause of the country* it seems, in the opinion of JUNIUS, is merely to vex the king: and any rascal is to be supported in any roguery, provided he can only thereby plant *a thorn in the king's side*.—This is the very extremity of faction, and the last degree of political wickedness. Because lord Chatham has been ill-treated by the king, and treacherously betrayed by the duke of Grafton, the latter is to be 'the pillow on which JUNIUS will rest his resentment!' and the public are to oppose the measures of government from mere motives of personal enmity to the sovereign!—These are the avowed principles of the man who in the same letter says, 'if ever he should be convinced that I had no motive but to destroy Wilkes, he shall then be ready to do

[1] Alluding to sir Wm. Draper's call upon JUNIUS for his name. See the conclusion of Letter XXIV.—EDIT.

[2] See note [3], p. 290.—EDIT.

justice to my character, and to declare to the world that he despises me somewhat less than he does at present!' Had I ever acted from personal affection or enmity to Mr *Wilkes*, I should justly be despised: but what does he deserve whose avowed motive is personal enmity to the sovereign? the contempt which I should otherwise feel for the absurdity and glaring inconsistency of JUNIUS, is here swallowed up in my abhorrence of his principle. The *right divine* and *sacredness* of kings is to me a senseless jargon. It was thought a daring expression of Oliver Cromwell in the time of Charles the First, that if he found himself placed opposite to the king in battle, he would discharge his piece into his bosom as soon as into any other man's. I go farther: had I lived in those days, I would not have waited for chance to give me an opportunity of doing my duty; I would have sought him through the ranks, and without the least personal enmity, have discharged my piece into his bosom *rather* than into any other man's.[1] The king whose actions justify rebellion to his government, deserves death from the hand of every subject. And should such a time arrive, I shall be as free to act as to say. But till then, my attachment to the person and family of the sovereign shall ever be found more zealous and sincere than that of his flatterers. I would

[1] Mr Horne was charged with having stolen this idea from a note of Mr Wilkes, annexed to that passage in Clarendon, to which the writer here more particularly alludes. The letter is short, and, as it also explains a subsequent fact, it ought not to be omitted.

FOR THE PUBLIC ADVERTISER.

TO THE REV. MR HORNE.

SIR, *Aug.* 6, 1771.

You declare in your letter to JUNIUS, that Mr Wilkes told the Rockingham administration, 'it cost me a year and an half to write down the last administration.' Unluckily for Mr Horne the administration said to be wrote down by Mr Wilkes did not last *one year*, and Mr Wilkes is certainly too well informed to have made so gross a mistake. Lord Bute was made first commissioner of the Treasury, May 29, 1762, and resigned April 8, 1763. The North Briton made its first appearance June 5, 1762. The paper war therefore did not last quite one year before the enemy abandoned the capital post he had seized. Mr Horne, when he invents, should be careful not to give absurd fictions. I am acquainted both with Mr Wilkes and Mr Horne. It is amusing to observe how the parson has, on a variety of occasions, purloined from the alderman. Many of their former common friends have been amused with the instances. The late passage about Cromwell is curious. Mr Horne says, 'it was thought a daring expression of Oliver Cromwell,' &c. Mr Wilkes has probably forgot the little anecdote; but I breakfasted with him at the King's Bench with Mr Horne, who copied in my presence the following note from Mr Wilkes's Clarendon, which I likewise preserved. 'Cromwell ought to have declared, that he would rather chuse to single out the king, and discharge his pistol upon him, as the first author of the guilt of a civil war, and whose death then might probably extinguish it.' The whole passage of Clarendon is so curious, your readers will not be displeased to find it in your paper.

'Cromwell, though the greatest dissembler living, always made his hypocrisy of singular use and benefit to him, and never did anything, how ungracious or imprudent soever it seemed to be, but what was necessary to the design; even his roughness and unpolishedness, which, in the beginning of the parliament, he affected contrary to the smoothness and complacency which his cousin, and bosom friend, Mr Hambden, practised towards all men, was necessary; and his first public declaration, in the beginning of the war, to his troop when it was first mustered, that he would not deceive or cozen them by the perplexed and involved expressions in his commission, to fight for king and parliament; and therefore told them, that if the king chanced to be in the body of the enemy that he was to charge, he would as soon discharge his pistol upon him, as any other private person; and if their conscience would not permit them to do the like, he advised them not to list themselves in his troop, or under his command, which was generally looked upon as imprudent and malicious, and might, by the professions the parliament then made, have proved dangerous to him, yet served his turn, and severed from others, and united among themselves, all the furious and incensed men against the government, whether ecclesiastical or civil, to look upon him as a man for their turn, upon whom they might depend, as one who would go through the work that he undertook.'

The passage I have quoted from Mr Horne's letter appears to me in flat contradiction to what he says at the end of the same letter, 'whoever or whatever is sovereign, demands the respect and support of the people.' Is it possible that the last paragraph could be written by the same person, who printed in all the papers that the king's smiling when the city remonstrance was presented, reminded him, that 'Nero fiddled, while Rome was burning?' W. B.

For an explanation of the last quotation, see note, p. 232.—EDIT.

offend the sovereign with as much reluctance as the parent; but if the happiness and security of the whole family made it necessary, so far and no farther, I would offend him without remorse.

But let us consider a little whither these principles of JUNIUS would lead us. Should Mr Wilkes once more commission Mr Thomas Walpole to procure for him a pension of *one thousand pounds* upon the Irish establishment for thirty years; he must be supported in the demand by the public—because it would mortify the king!

Should he wish to see Lord Rockingham and his friends once more in administration, *unclogged by any stipulations for the people*, that he might again enjoy a *pension of one thousand and forty pounds* a year, viz. from the *first lord of the Treasury* £300, *from the lords of the Treasury* £60 each, from the *lords of trade* £40 each,[1] &c., the public must give up their attention to points of national benefit, and assist Mr Wilkes in his attempt—because it would mortify the king!

Should he demand the government of *Canada*, or of *Jamaica*, or the embassy to *Constantinople;* and in case of refusal threaten to write them down, as he had before served another administration, in a year and a half; he must be supported in his pretensions, and upheld in his insolence—because it would mortify the king!

JUNIUS may chuse to suppose that these things cannot happen! But that they have happened, notwithstanding Mr Wilkes's denial, I do aver. I maintain that Mr Wilkes did commission Mr Thomas Walpole to solicit for him a pension of *one thousand pounds* on the *Irish* establishment for *thirty years;* with which, and a pardon, he declared he would be satisfied: and that, notwithstanding his letter to Mr Onslow, he did accept a *clandestine, precarious*, and *eleemosynary* pension from the Rockingham administration;[2] which they paid in proportion to and out of their salaries; and so entirely was it ministerial, that as any of them went out of the ministry, their names were scratched out of the list, and they contributed no longer. I say, he did solicit the governments and the embassy, and threatened their refusal nearly in these words—'It cost me a year and an half to write down the last administration, should I employ as much time upon you, very few of you would be in at the death.' When these threats did not prevail, he came over to England to embarrass them by his presence; and when he found that lord Rockingham was something firmer and more manly than he expected, and refused to be bullied —— into what he could not perform, Mr Wilkes declared that he could not leave England without money; and the duke of Portland and lord Rockingham purchased his absence with *one hundred pounds a piece;* with which he returned to Paris. And for the truth of what I here advance, I appeal to the duke of Portland, to lord Rockingham, to lord John Cavendish, to Mr Walpole, &c.—I appeal to the hand-writing of Mr Wilkes, which is still extant.

Should Mr Wilkes afterwards (failing in this wholesale trade) chuse to dole out his popularity by the pound, and expose the city offices to sale to his brother, his attorney, &c., JUNIUS will tell us, it is only an *ambition* that he has to make them *chamberlain*, *town-clerk*, &c., and he must not be opposed in thus robbing the ancient citizens of their birthright——because any defeat of Mr Wilkes would gratify the king!

Should he, after consuming the whole of his own fortune and that of his wife, and incurring a debt of *twenty thousand pounds* merely by his own private extravagance,

[1] The Rockingham party had consented to unite with the Bedford administration on the express stipulation of a reversal of the proceedings against Wilkes. They were not, however, able to obtain this stipulation at last; and, as some indemnification to Wilkes for the promise they had made to him in this respect, they granted him a pension *out of their own salaries*, upon the proportions stated above, with which, at their entreaty, he again returned to the continent.—EDIT.

[2] See the last note, which states the pension referred to.—EDIT.

without a single service or exertion all this time for the public, whilst his estate remained; should he, at length, being undone, commence patriot, have the good fortune to be illegally persecuted, and in consideration of that illegality be espoused by a few gentlemen of the purest public principles; should his debts (though none of them were contracted for the public) and all his other incumbrances be discharged; should he be offered £600 or £1000 a year to make him independent for the future; and should he, after all, instead of gratitude for these services, insolently forbid his benefactors to bestow their own money upon any other object but himself,[1] and revile them for setting any bounds to their supplies; JUNIUS (who, any more than lord Chatham, never contributed one farthing to these enormous expenses) will tell them, that if they think of converting the supplies of Mr Wilkes's private extravagance to the support of public measures——they are as great fools as my *grandmother;* and that Mr Wilkes ought to hold the strings of their purses—*as long as he continues to be a thorn in the king's side!*

Upon these principles I never have acted, and I never will act. In my opinion, it is less dishonourable to be the creature of a court than the tool of a faction. I will not be either. I understand the two great leaders of opposition to be lord Rockingham and lord Chatham; under one of whose banners all the opposing members of both Houses, who desire to get places, enlist. I can place no confidence in either of them, or in any others, unless they will now engage, whilst they are OUT, to grant certain essential advantages for the security of the public when they shall be IN administration. These points they refuse to stipulate, because they are fearful lest they should prevent any future overtures from the court. To force them to these stipulations has been the uniform endeavour of Mr Sawbridge, Mr Townshend, Mr Oliver, &c., and THEREFORE they are abused by JUNIUS. I know no reason but my zeal and industry in the same cause that should entitle me to the honour of being ranked by his abuse with persons of their fortune and station. It is a duty I owe to the memory of the late Mr Beckford to say, that he had no other aim than this when he provided that sumptuous entertainment at the Mansion-house for the members of both Houses in opposition.[2] At that time he drew up the heads of an engagement, which he gave to me with a request that I would couch it in terms so cautious and precise, as to leave no room for future quibble and evasion; but to oblige them either to fulfil the intent of the obligation, or to sign their own infamy, and leave it on record; and this engagement he was determined to propose to them at the Mansion-house, that either by their refusal they might forfeit the confidence of the public, or by the engagement lay a foundation for confidence. When they were informed of the intention, lord Rockingham and his friends flatly refused any engagement; and Mr Beckford as flatly swore, they should then—'eat none of his broth;' and he was determined to put off the entertainment: But Mr Beckford was prevailed upon by —— to indulge them in the ridiculous parade of a popular procession through the city, and to give them the foolish pleasure of an imaginary consequence, for the real benefit only of the cooks and purveyors.

It was the same motive which dictated the thanks of the city to lord Chatham; which were expressed to be given for his declaration in favour of *short parliaments;*[3]

[1] The quarrel between Mr Wilkes and Mr Horne originated in the mode of appropriating the contributions to the Bill of Rights Society, the funds of which were professedly subscribed for the purpose of paying the debts of the former.—EDIT.

[2] On the 22nd of March, 1770, at which forty-five noblemen, besides a great number of members of parliament, and other persons of distinction, were present.—EDIT.

[3] The vote of thanks and answer were as follow:

At a Common Council holden on the 14th of May, 1770, it was resolved, 'That the grateful

in order thereby to fix lord Chatham at least to that one constitutional remedy, without which all others can afford no security. The embarrassment no doubt was cruel. He had his choice, either to offend the Rockingham party, who declared *formally* against short parliaments, and with the assistance of whose numbers in both Houses he must expect again to be minister; or to give up the confidence of the public, from whom finally all real consequence must proceed. Lord Chatham chose the latter: and I will venture to say, that, by his *answer* to those thanks, he has given up the people without gaining the friendship or cordial assistance of the Rockingham faction; whose little politics are confined to the making of matches, and extending their family connexions, and who think they gain more by procuring one additional vote to their party in the House of Commons, than by adding to their languid property and feeble character, the abilities of a *Chatham*, or the confidence of the public.

Whatever may be the event of the present wretched state of politics in this country, the principles of JUNIUS will suit no form of government. They are not to be tolerated under any constitution. Personal enmity is a motive fit only for the devil. Whoever or whatever is sovereign, demands the respect and support of the people. The union is formed for their happiness, which cannot be had without mutual respect; and he counsels maliciously who would persuade either to a wanton breach of it. When it is banished by either party, and when every method has been tried in vain to restore it, there is

thanks of this court be presented to the Right Hon. William earl of Chatham, for the zeal he has shown in support of those most valuable and sacred privileges, the right of election, and the right of petition; and for his wishes and declaration, that his endeavours shall hereafter be used that parliaments may be restored to their original purity, by shortening their duration, and introducing a more full and equal representation; an act which will render his name more honoured by posterity, than the memorable successes of the glorious war he conducted.'

To this vote of thanks the earl of Chatham made the following reply to the committee deputed to present it to his lordship:

'GENTLEMEN,

'It is not easy for me to give expression to all I feel, on the extraordinary honour done to my public conduct by the City of London; a body so highly respectable on every account, but above all, for their constant assertion of the birthrights of Englishmen, in every great crisis of the constitution.

'In our present unhappy situation, my duty shall be, on all proper occasions, to add the zealous endeavours of an individual to those legal exertions of constitutional rights, which, to their everlasting honour, the City of London has made, in defence of freedom of election and freedom of petition, and for obtaining effectual reparation to the electors of Great Britain.

'As to the point among the declarations which I am understood to have made, of my wishes for the public, permit me to say there has been some misapprehension, for with all my deference to the sentiments of the City, I am bound to declare that I cannot recommend triennial parliaments as a remedy against that canker of the constitution, venality in elections; ready to submit my opinion to better judgment, if the wish for that measure shall become prevalent in the kingdom. Purity of parliament is the cornerstone in the common-wealth; and as one obvious means towards this necessary end is to strengthen and extend the natural relation between the constituents and the elected, I have, in this view, publicly expressed my earnest wishes for a more full and equal representation, by the addition of one knight of the shire in a county, as a further balance to the mercenary boroughs.

'I have thrown out this idea with the just diffidence of a private man, when he presumes to suggest any thing new on a high matter. Animated by your approbation, I shall with better hope continue humbly to submit it to the public wisdom, as an object most deliberately to be weighed, accurately examined, and maturely digested.

'Having many times, when in the service of the crown, and when retired from it, experienced, with gratitude, the favour of my fellow-citizens, I am now particularly fortunate, that, with their good liking, I can offer any thing towards upholding this wisely-combined frame of mixed government against the decays of time, and the deviations incident to all human institutions; and I shall esteem my life honoured indeed, if the City of London can vouchsafe to think that my endeavours have not been wanting to maintain the national honour, to defend the colonies, and extend the commercial greatness of my country, as well as to preserve from violation the law of the land, and the essential rights of the constitution.'

On the subject of triennial parliaments, lord Chatham appears subsequently to have changed his opinion, as will be seen by a reference to the editor's note to Letter XLIV., p. 264. — EDIT.

no remedy but a divorce; but even then he must have a hard and a wicked heart indeed who punishes the greatest criminal merely for the sake of the punishment; and who does not let fall a tear for every drop of blood that is shed in a public struggle, however just the quarrel.

JOHN HORNE.

LETTER LIV.[1]

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 13 *Aug.* 1771.

I OUGHT to make an apology to the duke of Grafton, for suffering any part of my attention to be diverted from his Grace to Mr Horne. I am not justified by the similarity of their dispositions. Private vices, however detestable, have not dignity sufficient to attract the censure of the press, unless they are united with the power of doing some signal mischief to the community.—Mr Horne's situation does not correspond with his intentions.—In my own opinion (which I know will be attributed to my usual vanity and presumption), his letter to me does not deserve an answer. But I understand that the public are not satisfied with my silence;—that an answer is expected from me, and that if I persist in refusing to plead, it will be taken for conviction. I should be inconsistent with the principles I profess, if I declined an appeal to the good sense of the people, or did not willingly submit myself to the judgment of my peers.

If any coarse expressions have escaped me, I am ready to agree that they are unfit for JUNIUS to make use of, but I see no reason to admit that they have been improperly applied.

Mr Horne, it seems, is unable to comprehend how an extreme want of conduct and discretion can consist with the abilities I have allowed him; nor can he conceive that a very honest man, with a very good understanding, may be deceived by a knave. His knowledge of human nature must be limited indeed. Had he never mixed with the world, one would think that even his books might have taught him better. Did he hear lord Mansfield, when he defended his doctrine concerning libels?—Or when he stated the law in prosecutions for criminal conversation?—Or when he delivered his reasons for calling the House of Lords together to receive a copy of his charge to the jury in Woodfall's trial?[2]—Had he been present upon any of these occasions, he would have seen how possible it is for a man of the first talents, to confound himself in absurdities, which would disgrace the lips of an idiot. Perhaps the example might have taught him not to value his own understanding so highly. Lord Littleton's integrity and judgment are unquestionable;—yet he is known to admire that cunning Scotchman, and verily believes him an honest man.—I speak to facts with which all of us are conversant.—I speak to men and to their experience, and will not descend to answer the little sneering sophistries of a collegian.—Distinguished talents are not necessarily connected with discretion. If there be any thing remarkable in the character of Mr Horne, it is that extreme want of judgment should be united with his very moderate capacity. Yet I have not forgotten the acknowledgment I made him. He owes it to my bounty; and though his letter has lowered him in my opinion, I scorn to retract the charitable donation.

I said it would be *very difficult* for Mr Horne to write directly in defence of a ministerial measure, and not be detected; and even that difficulty I confined to *his* particular situation. He changes the terms of the proposition, and supposes me to assert, that it would be *impossible* for *any* man to write for the newspapers and not be discovered.

He repeatedly affirms, or intimates at

[1] JUNIUS, in Private Letter, No. 37, makes the following observation: 'If Mr Horne answers this letter handsomely and in point, he shall be my great Apollo.'—EDIT.

[2] See the charge, p. 117, note.—EDIT.

least, that he knows the author of these letters.—With what colour of truth then can he pretend *that I am no where to be encountered but in a newspaper?*—I shall leave him to his suspicions. It is not necessary that I should confide in the honour or discretion of a man, who already seems to hate me with as much rancour, as if I had formerly been his friend.—But he asserts that he has traced me through a variety of signatures. To make the discovery of any importance to his purpose, he should have proved, either that the fictitious character of JUNIUS has not been consistently supported, or that the author has maintained different principles under different signatures.—I cannot recall to my memory the numberless trifles I have written;—but I rely upon the consciousness of my own integrity, and defy him to fix any colourable charge of inconsistency upon me.

I am not bound to assign the secret motives of his apparent hatred of Mr Wilkes: nor does it follow that I may not judge fairly of *his* conduct, though it were true, *that I had no conduct of my own.*—Mr Horne enlarges, with rapture, upon the importance of his services;—the dreadful battles which he might have been engaged in, and the dangers he has escaped.—In support of the formidable description, he quotes verses without mercy. The gentleman deals in fiction, and naturally appeals to the evidence of the poets.—Taking him at his word, he cannot but admit the superiority of Mr Wilkes in this line of service. On one side we see nothing but imaginary distresses. On the other we see real prosecutions;—real penalties;—real imprisonment;—life repeatedly hazarded; and, at one moment, almost the certainty of death.[1] Thanks are undoubtedly due to every man who does his duty in the engagement; but it is the wounded soldier who deserves the reward.

I did not mean to deny that Mr Horne had been an active partisan. It would defeat my own purpose not to allow him a degree of merit, which aggravates his guilt. The very charge *of contributing his utmost efforts to support a ministerial measure*, implies an acknowledgment of his former services. If he had not once been distinguished by his apparent zeal in defence of the common cause, he could not now be distinguished by deserting it.—As for myself, it is no longer a question *whether I shall mix with the throng, and take a single share in the danger.* Whenever JUNIUS appears, he must encounter a host of enemies. But is there no honourable way to serve the public, without engaging in personal quarrels with insignificant individuals, or submitting to the drudgery of canvassing votes for an election? Is there no merit in dedicating my life to the information of my fellow-subjects?—What public question have I declined, what villain have I spared?—Is there no labour in the composition of these letters? Mr Horne, I fear, is partial to me, and measures the facility of *my* writings, by the fluency of his own.

He talks to us, in high terms, of the gallant feats he would have performed, if he had lived in the last century. The unhappy Charles could hardly have escaped him. But living princes have a claim to his attachment and respect. Upon these terms, there is no danger in being a patriot. If he means any thing more than a pompous rhapsody, let us try how well his argument holds together.—I presume he is not yet so much a courtier as to affirm that the constitution has not been grossly and daringly violated under the present reign. He will not say, that the laws have not been shamefully broken or perverted;—that the rights of the subject have not been invaded, or that redress has not been repeatedly solicited and refused.—Grievances like these were the foundation of the rebellion in the last century, and, if I understand Mr Horne, they would, at that period, have justified him to his own mind, in deliberately attacking the life of his sovereign. I shall not

[1] For an explanation of the subjects here alluded to, see the editor's note to Letter XLVI., p. 267.—EDIT.

ask him to what political constitution this doctrine can be reconciled. But, at least, it is incumbent upon him to show, that the present king has better excuses than Charles the First, for the errors of his government. He ought to demonstrate to us that the constitution was better understood a hundred years ago than it is at present ;—that the legal rights of the subject and the limits of the prerogative were more accurately defined, and more clearly comprehended. If propositions like these cannot be fairly maintained, I do not see how he can reconcile it to his conscience, not to act immediately with the same freedom with which he speaks. I reverence the character of Charles the First as little as Mr Horne ; but I will not insult his misfortunes by a comparison that would degrade him.

It is worth observing, by what gentle degrees, the furious persecuting zeal of Mr Horne has softened into moderation. Men and measures were yesterday his object. What pains did he once take to bring that great state criminal *MacQuirk* to execution ! — To-day he confines himself to measures only.—No penal example is to be left to the successors of the duke of Grafton. —To-morrow, I presume both men and measures will be forgiven. The flaming patriot, who so lately scorched us in the meridian, sinks temperately to the west, and is hardly felt as he descends.

I comprehend the policy of endeavouring to communicate to Mr Oliver and Mr Sawbridge a share in the reproaches, with which he supposes me to have loaded him. My memory fails me, if I have mentioned their names with disrespect ;—unless it be reproachful to acknowledge a sincere respect for the character of Mr Sawbridge, and not to have questioned the innocence of Mr Oliver's intentions.

It seems I am a partisan of the great leader of the opposition. If the charge had been a reproach, it should have been better supported. I did not intend to make a public declaration of the respect I bear lord Chatham. I well knew what unworthy conclusions would be drawn from it. But I am called upon to deliver my opinion, and surely it is not in the little censure of Mr Horne to deter me from doing signal justice to a man, who, I confess, has grown upon my esteem.[1] As for the common, sordid views of avarice, or any purpose of vulgar ambition, I question whether the applause of JUNIUS would be of service to lord Chatham. *My* vote will hardly recommend him to an increase of his pension, or to a seat in the cabinet. But if his ambition be upon a level with his understanding ;—if he judges of what is truly honourable for himself, with the same superior genius, which animates and directs him to eloquence in debate, to wisdom in decision, even the pen of JUNIUS shall contribute to reward him. Recorded honours shall gather round his monument, and thicken over him. It is a solid fabric, and will support the laurels that adorn it.—I am not conversant in the language of panegyric.—These praises are extorted from me ; but they will wear well, for they have been dearly earned.

My detestation of the duke of Grafton is not founded upon his treachery to any individual : though I am willing enough to suppose that, in public affairs, it would be impossible to desert or betray lord Chatham, without doing an essential injury to this country. My abhorrence of the duke arises from an intimate knowledge of his character, and from a thorough conviction that his baseness has been the cause of greater mischief to England, than even the unfortunate ambition of lord Bute.

The shortening the duration of parliaments is a subject on which Mr Horne cannot enlarge too warmly ; nor will I question his sincerity. If I did not profess the same sentiments, I should be shamefully inconsistent with myself. It is unnecessary to bind lord Chatham by the written formality of an engagement. He has publicly declared himself a convert to

[1] See the author's opinion of lord Chatham in the year 1767, Miscellaneous Letters, No. I.—EDIT.

triennial parliaments;[1] and though I have long been convinced that this is the only possible resource we have left to preserve the substantial freedom of the constitution, I do not think we have a right to determine against the integrity of lord Rockingham or his friends. Other measures may undoubtedly be supported in argument, as better adapted to the disorder, or more likely to be obtained.

Mr Horne is well assured, that I never was the champion of Mr Wilkes. But though I am not obliged to answer for the firmness of his future adherence to the principles he professes, I have no reason to presume that he will hereafter disgrace them. As for all those imaginary cases, which Mr Horne so perpetually urges against me, I have one plain, honest answer to make to him. — Whenever Mr Wilkes shall be convicted of soliciting a pension, an embassy, or a government, he must depart from that situation, and renounce that character, which he assumes at present, and which, in *my* opinion, entitle him to the support of the public. By the same act, and at the same moment, he will forfeit his power of mortifying the king; and though he can never be a favourite at St James's, his baseness may administer a solid satisfaction to the royal mind. The man I speak of, has not a heart to feel for the frailties of his fellow-creatures. It is their virtues that afflict, it is their vices that console him.

I give every possible advantage to Mr Horne, when I take the facts he refers to for granted. That they are the produce of his invention, seems highly probable; that they are exaggerated I have no doubt. At the worst, what do they amount to, but that Mr Wilkes, who never was thought of as a perfect pattern of morality, has not been at all times proof against the extremity of distress![2] How shameful is it, in a man who has lived in friendship with him, to reproach him with failings, too naturally connected with despair! Is no allowance to be made for banishment and ruin? Does a two years' imprisonment make no atonement for his crimes?—The resentment of a priest is implacable. No sufferings can soften, no penitence can appease him.—Yet he himself, I think, upon his own system, has a multitude of political offences to atone for. I will not insist upon the nauseous detail, with which he so long disgusted the public. He seems to be ashamed of it. But what excuse will he make to the friends of the constitution for labouring to promote *this consummately bad man* to a station of the highest national trust and importance? Upon what honourable motives did he recommend him to the livery of London for their representative;—to the ward of Farringdon for their alderman;—to the county of Middlesex for their knight? Will he affirm that, at that time, he was ignorant of Mr Wilkes's solicitations to the ministry?—That he should say so, is indeed very necessary for his own justification, but where will he find credulity to believe him?

In what school this gentleman learned his ethics I know not. His *logic* seems to have been studied under Mr Dyson. That miserable pamphleteer, by dividing the only precedent in point, and taking as much of it as suited his purpose, had reduced his argument upon the Middlesex election to something like the shape of a syllogism. Mr Horne has conducted himself with the same ingenuity and candour. I had affirmed that Mr Wilkes would preserve the public favour, 'as long as he stood forth against a ministry and parliament who were doing every thing they could to enslave the country, *and* as long as he was a thorn in the king's side.' Yet from the exulting triumph of Mr Horne's reply, one would think that I had rested my expectation, that Mr Wilkes would be

[1] For lord Chatham's previous opinion of triennial parliaments, see editor's note to the preceding Letter, p. 291; and for his declaration in favour of them, editor's note to Letter XLIV., p. 264.—Edit.

[2] For Mr Wilkes's defence of himself against the charges of Mr Horne, see the note, p. 279. —Edit.

supported by the public, upon the single condition of his mortifying the king. This may be logic at Cambridge or at the Treasury, but among men of sense and honour it is folly or villany in the extreme.

I see the pitiful advantage he has taken of a single unguarded expression, in a letter not intended for the public. Yet it is only the *expression* that is unguarded. I adhere to the true meaning of that member of the sentence, taken separately as *he* takes it, and now, upon the coolest deliberation, reassert that, for the purposes I referred to, it may be highly meritorious to the public, to wound the personal feelings of the sovereign. It is not a general proposition, nor is it generally applied to the chief magistrate of this or any other constitution. Mr Horne knows as well as I do, that the best of princes is not displeased with the abuse, which he sees thrown upon his ostensible ministers. It makes them, I presume, more properly the objects of his royal compassion; neither does it escape his sagacity, that the lower they are degraded in the public esteem, the more submissively they must depend upon his favour for protection. This, I affirm, upon the most solemn conviction, and the most certain knowledge, is a leading maxim in the policy of the closet.—It is unnecessary to pursue the argument any farther.

Mr Horne is now a very loyal subject. He laments the wretched state of politics in this country, and sees, in a new light, the weakness and folly of the opposition. *Whoever or whatever is sovereign, demands the respect and support of the people;*[1] it was not so, *when Nero fiddled while Rome was burning.*[2] Our gracious sovereign has had wonderful success, in creating new attachments *to his person and family*. He owes it, I presume, to the regular system he has pursued in the mystery of conversion. He began with an experiment upon the Scotch, and concludes with converting Mr Horne.—What a pity it is that the *Jews* should be condemned by Providence to wait for a Messiah of their own!

The priesthood are accused of misinterpreting the Scriptures. Mr Horne has improved upon his profession. He alters the text, and creates a refutable doctrine of his own. Such artifices cannot long delude the understanding of the people; and without meaning an indecent comparison, I may venture to foretell, that the Bible and JUNIUS will be read, when the commentaries of the Jesuits are forgotten.

JUNIUS.

[1] The very soliloquy of lord Suffolk, before he passed the Rubicon.

[2] This forms a sentence of Horne's own writing;—and was one of his bitterest sarcasms against the king. But see editor's note, p. 232. —EDIT.

LETTER LV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 26 *Aug.* 1771.

THE enemies of the people having now nothing better to object to my friend JUNIUS, are at last obliged to quit his politics and to rail at him for crimes he is not guilty of. His vanity and impiety are now the perpetual topics of their abuse. I do not mean to lessen the force of such charges (supposing they were true), but to show that they are not founded. If I admitted the premises, I should readily agree in all the consequences drawn from them. Vanity indeed is a venial error, for it usually carries its own punishment with it;—but if I thought JUNIUS capable of uttering a disrespectful word of the religion of his country, I should be the first to renounce and give him up to the public contempt and indignation. As a man, I am satisfied that he is a Christian upon the most sincere conviction. As a writer, he would be grossly inconsistent with his political principles, if he dared to attack a religion established by those laws, which it seems to be the purpose of his life to defend.—Now for the proofs.—JUNIUS is accused of an impious allusion to the holy sacrament, where he says that, *if lord Weymouth be*

denied the cup, there will be no keeping him within the pale of the ministry. Now, Sir, I affirm that this passage refers entirely to a ceremonial in the Roman Catholic church, which denies the cup to the laity. It has no manner of relation to the Protestant creed, and is in this country as fair an object of ridicule, as *transubstantiation*, or any other part of lord *Peter's* history in the Tale of the Tub.

But JUNIUS is charged with equal vanity and impiety, in comparing his writings to the Holy Scripture.—The formal protest he makes against any such comparison, avails him nothing. It becomes necessary then to show that the charge destroys itself.—If he be *vain*, he cannot be *impious*. A vain man does not usually compare himself to an object, which it is his design to undervalue. On the other hand, if he be *impious*, he cannot be *vain*. For his impiety, if any, must consist in his endeavouring to degrade the Holy Scriptures by a comparison with his own contemptible writings. This would be folly indeed of the grossest nature, but where lies the vanity?—I shall now be told, —'Sir, what you say is plausible enough, but still you must allow that it is shamefully impudent in JUNIUS to tell us that his works will live as long as the Bible.' My answer is, *Agreed: but first prove that he has said so.* Look at his words, and you will find that the utmost he expects is, that the Bible and JUNIUS will survive the commentaries of the Jesuits, which may prove true in a fortnight. The most malignant sagacity cannot show that his works are, *in his opinion*, to live as long as the Bible.—Suppose I were to foretell that *Jack* and *Tom* would survive *Harry*.—Does it follow that *Jack* must live as long as *Tom?* I would only illustrate my meaning, and protest against the least idea of profaneness.

Yet this is the way in which JUNIUS is usually answered, arraigned, and convicted. These candid critics never remember any thing he says in honour of our holy religion; though it is true that one of his leading arguments is made to rest *upon the internal evidence which the purest of all religions carries with it.* I quote his words, and conclude from them, that he is a true and hearty Christian, in substance, not in ceremony; though possibly he may not agree with my reverend lords the bishops, or with the Head of the Church, *that prayers are morality, or that kneeling is religion.*

PHILO JUNIUS.

LETTER LVI.

FROM THE REV. MR HORNE TO JUNIUS.

16 *August*, 1771.

I CONGRATULATE you, Sir, on the recovery of your wonted style, though it has cost you a fortnight. I compassionate your labour in the composition of your letters, and will communicate to you the secret of my fluency.—Truth needs no ornament, and, in my opinion, what she borrows of the pencil is deformity.

You brought a positive charge against me of corruption. I denied the charge, and called for your proofs. You replied with abuse, and re-asserted your charge. I called again for proofs. You reply again with abuse only, and drop your accusation. In your fortnight's letter, there is not one word upon the subject of my corruption.

I have no more to say, but to return thanks to you for your *condescension*, and to a *grateful* public and *honest* ministry for all the favours they have conferred upon me. The two latter, I am sure, will never refuse me any grace I shall solicit; and since you have been pleased to acknowledge that you told a deliberate lie in my favour out of bounty, and as a charitable donation, why may I not expect that you will hereafter (if you do not forget you ever mentioned my name with disrespect) make the same acknowledgment for what you have said to my prejudice?—This second recantation will perhaps be more abhorrent from your disposition; but should you decline it, you will only afford one more instance how much easier it is to be generous than just, and that men are sometimes bountiful who are not honest.

At all events I am as well satisfied with your panegyric as lord Chatham can be. Monument I shall have none; but over my grave it will be said, in your own words, '*Horne's situation did not correspond with his intentions.*'[1]

JOHN HORNE.

LETTER LVII.[2]

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 28 *Sept.* 1771.

THE people of England are not apprized of the full extent of their obligations to you. They have yet no adequate idea of the endless variety of your character. They have seen you distinguished and successful in the continued violation of those moral and political duties, by which the little, as well as the great, societies of life are collected and held together. Every colour, every character became you. With a rate of abilities, which lord Weymouth very justly looks down upon with contempt, you have done as much mischief to the community as *Cromwell* would have done, if *Cromwell* had been a coward, and as much as *Machiavel*, if *Machiavel* had not known, that an appearance of morals and religion are useful in society.—To a thinking man, the influence of the crown will, in no view, appear so formidable, as when he observes to what enormous excesses it has safely conducted your Grace, without a ray of real understanding, without even the pretension to common decency or principle of any kind, or a single spark of personal resolution. What must be the operation of that pernicious influence (for which our kings have wisely exchanged the nugatory name of prerogative), that, in the highest stations, can so abundantly supply the absence of virtue, courage, and abilities, and qualify a man to be the minister of a great nation, whom a private gentleman would be ashamed and afraid to admit into his family! Like the universal passport of an ambassador, it supersedes the prohibition of the laws, banishes the staple virtues of the country, and introduces vice and folly triumphantly into all the departments of the state. Other princes, besides his Majesty, have had the means of corruption within their reach, but they have used it with moderation. In former times, corruption was considered as a foreign auxiliary to government, and only called in upon extraordinary emergencies. The unfeigned piety, the sanctified religion, of *George the Third* have taught him to new-model the civil forces of the state. The natural resources of the crown are no longer confided in. Corruption glitters in the van;—collects and maintains a standing army of mercenaries, and, at the same moment, impoverishes and enslaves the country.—His Majesty's predecessors (excepting that worthy family from which you, my Lord, are unquestionably descended) had some generous qualities in their composition, with vices, I confess, or frailties in abundance. They were kings or gentlemen, not hypocrites or priests. They were at the head of the church, but did not know the value of their office. They said their prayers without ceremony, and had too little priestcraft in their understanding, to reconcile the sanctimonious forms of religion with the utter destruction of the morality of their people.—My Lord, this is fact, not declamation.—With all your partiality to the house *of Stuart*, you must confess, that even *Charles the Second* would have blushed at that open encouragement, at those eager, meretricious caresses, with which every species of private vice and public prostitution is received at *St James's*.—The unfortunate house of *Stuart* has been treated with an asperity, which, if comparison be a defence, seems to border upon injustice. Neither *Charles* nor his brother were qualified to support such a system of measures, as would be necessary to change the government, and subvert the

[1] The epitaph would not be ill suited to the character.—At the best, it is but equivocal.

[2] 'The inclosed is of such importance, so very material, that it *must* be given to the public immediately.' Private Letter, No. 38.—EDIT.

constitution of England. One of them was too much in earnest in his pleasures,—the other in his religion. But the danger to this country would cease to be problematical, if the crown should ever descend to a prince, whose apparent simplicity might throw his subjects off their guard,—who might be no libertine in behaviour,—who should have no sense of honour to restrain him, and who, with just religion enough to impose upon the multitude, might have no scruples of conscience to interfere with his morality. With these honourable qualifications, and the decisive advantage of situation, low craft and falsehood are all the abilities that are wanting to destroy the wisdom of ages, and to deface the noblest monument that human policy has erected —I know *such* a man ;—My Lord, I know you both ; and with the blessing of God (for I too am religious), the people of England shall know you as well as I do. I am not very sure, that greater abilities would not, in effect, be an impediment to a design, which seems at first sight to require a superior capacity. A better understanding might make him sensible of the wonderful beauty of that system he was endeavouring to corrupt. The danger of the attempt might alarm him. The meanness and intrinsic worthlessness of the object (supposing he could attain to it) would fill him with shame, repentance, and disgust. But these are sensations which find no entrance into a barbarous, contracted heart. In some men, there is a malignant passion to destroy the works of genius, literature, and freedom. The *Vandal* and the *monk* find equal gratification in it.

Reflections like these, my Lord, have a general relation to your Grace, and inseparably attend you, in whatever company or situation your character occurs to us. They have no immediate connexion with the following recent fact, which I lay before the public, for the honour of the best of sovereigns, and for the edification of his people.

A prince (whose piety and self-denial, one would think, might secure him from such a multitude of worldly necessities), with an annual revenue of near a million sterling, unfortunately *wants money*.—The navy of England, by an equally strange concurrence of unforeseen circumstances (though not quite so unfortunately for his Majesty), is in equal want of timber. The world knows in what a hopeful condition you delivered the navy to your successor, and in what a condition we found it in the moment of distress.[1] You were determined it should continue in the situation in which you left it. It happened, however, very luckily for the privy purse, that one of the above wants promised fair to supply the other. Our religious, benevolent, generous sovereign has no objection to selling *his own* timber to *his own* Admiralty, to repair *his own* ships, nor to putting the money into *his own* pocket. People of a religious turn naturally adhere to the principles of the church. Whatever they acquire falls into *mortmain*.—Upon a representation from the Admiralty of the extraordinary want of timber, for the indispensable repairs of the navy, the surveyor-general was directed to make a survey of the timber in all the royal chases and forests in England. Having obeyed his orders with accuracy and attention, he reported, that the finest timber he had any where met with, and the properest in every respect for the purposes of the navy, was in *Whittlebury Forest*, of which your Grace, I think, is hereditary ranger. In consequence of this report, the usual warrant was prepared at the Treasury, and delivered to the surveyor, by which he or his deputy were authorized to cut down any trees in *Whittlebury Forest*, which should

[1] When the armament took place, in consequence of the dispute with Spain, respecting Falkland's Islands, the navy was found to be in a most deplorable state. By the exertions of the late earl of Sandwich, then, and for many years afterwards, first lord of the Admiralty, it was greatly renovated. It is however to later periods, to the superintendence of the present earl Spencer, and some of his very able successors, that we are to look for its true pinnacle of glory :—for the manifestation of that expert and chivalrous courage which has made it indeed the envy of an individual tyrant, but the admiration of the universe.—EDIT.

appear to be proper for the purposes abovementioned. The deputy being informed that the warrant was signed and delivered to his principal in London, crosses the country to Northamptonshire, and with an officious zeal for the public service, begins to do his duty in the forest. Unfortunately for him he had not the warrant in his pocket. The oversight was enormous, and you have punished him for it accordingly. You have insisted that an active, useful officer should be dismissed from his place. You have ruined an innocent man and his family.—In what language shall I address so black, so cowardly a tyrant; — thou worse than *one* of the *Brunswicks*, and all the *Stuarts!*— To them who know lord North, it is unnecessary to say, that he was mean and base enough to submit to you.— This however is but a small part of the fact. After ruining the surveyor's deputy, for acting without the warrant, you attacked the warrant itself. You declared it was illegal, and swore, in a fit of foaming, frantic passion, that it never should be executed. You asserted upon your honour, that in the grant of the rangership of *Whittlebury Forest*, made by *Charles the Second* (whom, with a modesty that would do honour to Mr Rigby, you are pleased to call your ancestor) to one of his bastards (from whom I make no doubt of your descent), the property of the timber is vested in the ranger.—I have examined the original grant, and now, in the face of the public, contradict you directly upon the fact. The very reverse of what you have asserted upon your honour is the truth. The grant, *expressly, and by a particular clause*, reserves the property of the timber for the use of the crown.—In spite of this evidence,—in defiance of the representations of the Admiralty,—in perfect mockery of the notorious distresses of the English navy, and those equally pressing, and almost equally notorious, necessities of your pious sovereign,—here the matter rests.— The lords of the Treasury recall their warrant; the deputy-surveyor is ruined for doing his duty;—Mr John Pitt (whose *name* I suppose is offensive to you) submits to be brow-beaten and insulted;—the oaks keep their ground;—the king is defrauded, and the navy of England may perish for want of the best and finest timber in the island. And all this is submitted to—to appease the duke of Grafton!—To gratify the man who has involved the king and his kingdom in confusion and distress, and who, like a treacherous coward, deserted his sovereign in the midst of it!

There has been a strange alteration in your doctrines, since you thought it advisable to rob the *duke of Portland* of his property, in order to strengthen the interest of lord *Bute's* son-in-law, before the last general election.[1] *Nullum tempus occurrit*

[1] Few persons have yet forgotten the commotion into which the nation was thrown by this outrageous attempt of the minister to enlarge the royal prerogative. By the common law of England no man can be disturbed in his title who has been in quiet possession of an estate for sixty years; but by an old obsolete law, a wretched remnant of ancient tyranny, it was asserted that *nullum tempus occurrit regi*, and such was the commencement of the law itself: in plain English, that no term of possession, whether sixty or a hundred and sixty years, can defend against a claim of the crown. This law was attempted to be revived in the reign of James I.; but the attempt was so effectually opposed in its outset by that sound constitutional lawyer, sir Edward Coke, that a Bill of a contrary tendency was suffered to pass in its stead, which expressly secured every estate of sixty years' possession, 'against all and every person having or pretending to have any estate, right, or title, by force or colour of any letters patent, or grants, upon suggestion of concealment, or defective titles, of or for which said manors, lands, and tenements, no verdict, judgment, or decree, hath been had or given.'

This extraordinary and unconstitutional prerogative of the crown, was attempted to be revived by the duke of Grafton in 1767; who, for the mere purpose of carrying an election for the county of Cumberland in favour of sir James Lowther against the duke of Portland, had admitted the former to become a royal grantee of an enormous portion of what had formerly been crown lands—but which had been for upwards of seventy years in the different families of the actual possessors. This attempt introduced sir George Savile's famous Bill, which was called the Quieting Bill, and was intended to render more valid the Act of James I. in favour of the subject against the crown. The remainder shall be given to the reader in an extract from a writer in the Public Advertiser, who adopted the signa-

regi, was then your boasted motto, and the cry of all your hungry partisans. Now it seems a grant of *Charles the Second* to one of his bastards is to be held sacred and in-

ture of Ulysses, and addressed two Letters to lord North on this subject.

'The Bill was lost. But the perseverance of a good man in a good cause is not easily shaken. Sir George Savile revived the Bill in the succeeding session; and its success at last, notwithstanding all the efforts of your Lordship, and the rest of the administration, gave a signal proof of the constitutional spirit which will break forth, when the struggle begins between liberty and prerogative.—In the progress of the Bill, a clause was proposed by the friends of sir James Lowther, which left to the grantees of the crown, twelve months from the 1st of Jan. 1769, for the prosecution of their suits. The friends of the Bill, anxious to secure to the subject, if they could, so important a law, did not hesitate in admitting the clause. They assented to the proposition, that the case of sir James Lowther should remain untouched by the Bill then depending.

'Such was that consent of which Sir James's friends have talked so much: And what does it at last amount to? We agree not to touch the case of sir James Lowther by this Bill. Does this important agreement (if by the way such an agreement could be made by private parties, in restraint of the powers of parliament) never to interpose? at no time, in no circumstances, under no provocations of the most flagrant abuse, or the most urgent necessity? Does it mean to say, that all future parliaments shall to eternity be barred from interfering, though impelled to it by the clearest justice? Do the friends of the duke of Portland, does the whole legislature, mean to ratify, to confirm, and to sanctify that hateful grant? If these intentions neither can nor will be attributed to the consent given, the utmost construction of it can extend no farther, than I have contended that its true sense imports, a neutrality at that time and in that Bill towards the question. If the case should be found to require future interposition, future parliaments will interpose. But till the conduct of sir James Lowther shall make it necessary for us to point at him personally, we will give him credit for those feelings of sense, of decency, and of remorse, that shall make it peevish to revive the memory of that odious transaction.

'Have these sensations operated upon sir James? What has been his conduct? On the last day of the year allowed him, he served above 400 ejectments. The county of Cumberland, from one extremity of it to the other, was in the utmost confusion. Not a man who had voted against him within the described limits of the grant was to escape. The word was gone forth—The rebels must be sacrificed, the county must be crushed. But the alarm that was given by so extensive and unparalleled revenge, made it very soon prudent and necessary for sir James to abandon many of those suits: And they stood then reduced to the moderate number of 15 bills in a Court of Equity, and 225 suits at law.

'Your Lordship, perhaps, could see with pleasure the miseries of that devoted county. You could, perhaps, contemplate with inward satisfaction, the glorious and exalted figure of sir James Lowther, while you beheld him, with an air of triumphant dignity, ride in the whirlwind and direct the storm. Other ideas filled the mind of sir William Meredith. He could not hear of the distress and confusion into which that unfortunate county was plunged by the clause alluded to, without immediately resolving to do that justice to Cumberland, which had been already shown to every other county in the king's dominions. He therefore brought in the Bill to repeal that clause.

'I do not mean to enter into abstruse arguments upon the subject. In truth, it is a subject that the plain common sense of every moderate capacity, the natural and first feelings of every generous and honest heart, must instantly decide upon. A law is made for the *general quiet of the subject*. A clause improvidently admitted (upon a principle of delicacy which subsequent events have not justified) counteracts the intention of that law; by perverting its beneficial purposes, and making it operate as a partial instrument of oppression, instead of securing to the whole kingdom the blessings it was intended to diffuse. Is not this a state of the fact? Was not the whole kingdom, Cumberland excepted, in the full enjoyment of that security which the Bill of quiet was intended to procure? And was not Cumberland, and Cumberland alone, sacrificed by this clause? For extraordinary as the fact is, it is a truth which ought to be known, and which I am sure nobody will dare to controvert, that sir James Lowther is the single grantee of the crown who has availed himself of this clause. There was not a man to be found, sir James Lowther excepted, who would suffer himself to be transmitted to posterity as the last Englishman who exercised over his fellow-subjects this expiring right of barbarity.

'Ashamed of proceedings which all men saw with concern, the Bill operated so far upon sir James, that he was at last induced to offer to abandon every other suit he had begun, provided only that he might be at full liberty to prosecute with effect the great delinquent, the duke of Portland.

'Your Lordship's notions of equal justice reconciled you to the idea. You thought that his Grace's situation in life, and his fortune, exempted him from compassion; and that he was therefore excluded from all claim or pretension to common justice.

'It is your duty, my Lord, to inform the public why that grant is acknowledged to be untenable against all but his Grace of Portland? Why it is to be abandoned and renounced in every instance but in his? What there is in it, if sir James thought it shameful and unjustifiable to proceed against the 224, that should make it honourable or just to pursue the 225th? Sir

violable! It must not be questioned by the king's servants, nor submitted to any interpretation but your own.—My Lord, this was not the language you held, when it suited you to insult the memory of the glorious deliverer of England from that detested family, to which you are still more nearly allied in principle than in blood.—In the name of decency and common sense, what are your Grace's merits, either with king or ministry, that should entitle you to assume this domineering authority over both?—Is it the fortunate consanguinity you claim with the house of *Stuart*?—Is it the secret correspondence you have for so many years carried on with lord Bute, by the assiduous assistance of your *cream-coloured parasite*?—Could not your gallantry find sufficient employment for him, in those *gentle* offices by which he first acquired the tender friendship of *lord Barrington*?—Or is it only that wonderful sympathy of manners, which subsists between your Grace and one of your superiors, and does so much honour to you both?—Is the union of *Blifil* and *Black*

James Lowther and your Lordship have allowed that all traces of this detested grant should be obliterated with respect to every suit commenced, one only excepted. Have you tried those suits? Have you heard their respective merits? Can you distinguish between them, and say this man should be quieted; that man ought to be harassed and oppressed? Yet you have said so;—for the duke of Portland is an exception to all cases. He is not fit to have the benefit of that law (created by the severity of his particular case) which every other Englishman does actually enjoy. He ought to stand branded and exposed to all posterity: He shall be attainted by name: He must fall the single victim, and be made the only sacrifice for the peace and quiet of this country.

'Let us then hear no more of the objection of parliamentary interposition pendente lite, by an ex post facto law. Your Lordship heard in the proper place, and could not refute, the many precedents of laws made ex post facto upon urgent occasions. Your Lordship could not then, nor will now deny, that when parliaments have interfered to protect the subject against oppressive grants, they have always done it: they must ever do it pendente lite. Till the grant is put in suit, no grievance can be said to exist. The prosecutions under it are the very grievance which parliament interposes to redress. Such was the view, and such was the effect of the Bill for the general quiet of the subject in king James's time, and which sir George Savile's was intended to pursue.—But, my Lord, you cannot avail yourself of the argument. The concession of sir James Lowther has alone defeated it.

'A grant is passed, affecting in its consequences the rights of 225 persons. By a law that should be made ex post facto, pendente lite, you would deem it honourable and just to restrain sir James Lowther from proceedings in 224 of these suits. It remains for your Lordship to satisfy the world that it is honourable and just that he should proceed in the 225th. You must do more.—You must prove that it will not be both dishonourable and unjust if he do, or if he be suffered to proceed in it.'

In order to relieve the duke of Portland from the suit of sir James Lowther; another explanatory Bill was introduced into the House of Commons in Feb. 7, 1771, by which the clause in favour of sir James Lowther was to be repealed: the question was lost on the third reading by 164 in behalf of the clause, against 155 in opposition to it.

The reader will nevertheless rejoice to hear that the crown, on the part of sir James Lowther, was nonsuited in the Court of Exchequer, though it had triumphed in the House of Commons. The following short statement of this celebrated trial is taken from the Public Advertiser, Nov. 22, 1771. 'Wednesday came on before the Barons of the Exchequer, at Westminster Hall, the great cause between sir James Lowther, Bart. plaintiff, and the duke of Portland, defendant, in consequence of a grant made to sir James Lowther of the forest of Inglewood, in the year 1767, of lands being for upwards of seventy years in the possession of the duke of Portland. Their Lordships came into court about nine o'clock, and after waiting near an hour for baron Adams, the Chief Baron received a letter from his Lordship, informing him of the impossibility of his attending the court that day, on account of the death of lady Adams. The court then entered into the business of the day, and recited all the records and prerogatives of the crown, from Edward the First to the lease made to sir James Lowther; when, after a full, candid, and most impartial examination of the said lease, it was found invalid, agreeable to the statute made in the first year of queen Anne, which recites 'that upon every grant, lease, or assurance, there be reserved a reasonable rent, not being under the third part of the clear yearly value of such of the said manors, messuages, lands, &c. &c. as shall be contained in such lease or grant.' Sir James Lowther's grant from the crown being only a quit rent of 13s. and 4d. for the whole forest of Inglewood, was immediately judged by the Court an *inadequate third proportion*, and he was nonsuited accordingly.'

See the whole transaction more fully expatiated upon in Miscellaneous Letters signed Mnemon, Nos. XIII. and XIV.—EDIT.

George no longer a *romance*?—From whatever origin your influence in this country arises, it is a phænomenon in the history of human virtue and understanding.—Good men can hardly believe the fact. Wise men are unable to account for it. Religious men find exercise for their faith, and make it the last effort of their piety, not to repine against Providence.

JUNIUS.[1]

[1] To this Letter the following answer was returned, which, as it proves JUNIUS to have been mistaken as to the facts relative to Whittlebury Forest, is here inserted on the score of impartiality.

FOR THE PUBLIC ADVERTISER.

The STORY of the OAKS, addressed to the Public and to JUNIUS.

The principles upon which JUNIUS fabricates all his declamations to the public, have been fairly unmasked and plainly exhibited in two former Letters.—They need only an exposure to nullify every thing he promulgates, and render him abominable in the eyes of common sense and honesty.—But to follow so gross a falsifier through the infinity of his wicked libels and virulent attacks upon the king, and many of the worthiest characters in the nation, is a task too foul for any gentleman to undertake.—Suffice it therefore to observe, that JUNIUS'S labours all tend to sinister ends, and they are glossed over with a high varnish only to conceal the coarseness of the design.—Men, and not measures, are his aim.—He avails himself of the unhappy licentiousness of the times, and levels all his rhetoric at your passions, not at your reason.

He began his career upon the old infamous maxim in political writing, that lies are swifter of foot than truth, and when they are roundly and boldly asserted will find believers; but luckily for us, that left-handed wisdom called cunning, always detects and frustrates itself.

The last charge which he has blazoned in such fiery colours against the duke of Grafton relative to the Oaks, may serve as a specimen of his veracity.—The fact is in no one instance as he has represented it.—An officer was sent down by the commissioners of the navy (as he declared) to inspect the timber in Salcey and Whittlebury Forests in Northamptonshire; and was ordered to make a return of what he found fit for the purposes of ship-building.—He accordingly marked upwards of four thousand trees in the latter, which are almost all that deserve the name of timber in the whole forest.—In consequence of his return an application was made to the Treasury for permission to cut down thirteen hundred loads—and to make a just parody upon JUNIUS'S own words, 'to them who know lord North it is unnecessary to say that he was very ready to give his assent;' as the advancement of every public good has ever been the invariable rule of his Lordship's conduct.—But it was never intended nor suspected that it would be carried into a rash unseasonable execution, without due regard being first paid to the circumstances attendant upon such an operation; nor was the exigency so urgent as to warrant a flagrant violation of private property; which the adjacent parishes must have suffered in their right of commonage, and the duke in his hereditary right to the underwood, had he not remonstrated against it.—Besides, the season for felling timber was so far past, that the bark (which is a valuable article, and will never run except in April or May while the sap is rising) would have been entirely lost.—But there is another argument to be adduced still more cogent than all the rest, it being a great national concern, which is to preserve the succession of young trees.—This can only be done by carefully clearing away the common underwood so as to expose them to plain view, otherwise they would be inevitably demolished, partly by the falling of the trees, and partly by the carelessness of workmen, as they grow mostly under them from the acorns which drop.—There is an established and legal rule against cutting the underwood oftener than once in twenty-one years; for nine years after it is cut, the same regulation prescribes that the respective coppices shall be fenced in to prevent the cattle and deer from destroying the young tender shoots; during which time the vicinage is deprived of the pasture; and for the remaining twelve years of that term, the neighbouring villages have a positive right of common. Underwood is as necessary to draw young trees up straight, and produce good timber, as a hot-bed is for raising melons and mushrooms.—There are many secondary considerations which ought to have their weight, though it is not requisite after what has been advanced, to swell this narrative by enumerating them.—Without deliberating upon these essential points, so ardent was the zeal of the surveyor-general for the public service (for the trifling perquisites of the lop and chips, amounting to little more than half the value of the timber, cannot be deemed a sufficient incentive for committing such a depredation), that he immediately dispatched a person unauthorized, to hack and hew, without the least previous intimation being given to the hereditary ranger, deputy ranger, or the king's wood-ward. In opposition to all this strange precipitancy and irregularity, the duke of Grafton did no more than interpose a candid representation of the case; which wisely put a stop to such unjust proceedings.—He never once made use of those absurd declarations which JUNIUS has so invidiously put in his mouth, 'that the property of the timber was vested in the ranger.'—And to retort a few more of his own precious words, he must here be 'contradicted in the face of the public directly upon the fact.—The very reverse of what he has asserted is the truth'—for neither the present duke nor his predecessor ever allowed

LETTER LVIII.

ADDRESSED TO THE LIVERY OF LONDON.

GENTLEMEN, 30 *Sept.* 1771.

IF *you* alone were concerned in the event of the present election of a chief magistrate of the metropolis, it would be the highest presumption in a stranger, to attempt to influence your choice, or even to offer you his opinion. But the situation of public affairs has annexed an extraordinary importance to your resolutions. You cannot, in the choice of your magistrate, determine for *yourselves only*. You are going to determine upon a point, in which every member of the community is interested.—I will not scruple to say, that the very being of that law, of that right, of that constitution, for which we have been so long contending, is now at stake. They who would ensnare your judgment, tell you it is a *common, ordinary* case, and to be decided by ordinary precedent and practice. They artfully conclude, from moderate peaceable times to times which *are not* moderate, and which *ought not* to be peaceable.—While they solicit your favonr, they insist upon a rule of rotation, which excludes all idea of election.[1]

Let me be honoured with a few minutes of your attention.—The question, to those who mean fairly to the liberty of the people (which we all profess to have in view), lies within a very narrow compass.—Do you mean to desert that just and honourable system of measures which you have hitherto pursued, in hopes of obtaining from parliament, or from the crown, a full redress of past grievances, and a security for the future?—Do you think the cause desperate, and will you declare that you think so to the whole people of England?—If this be your meaning and opinion, you will act consistently with it in chusing Mr *Nash*.—I profess to be unacquainted with his private character. But he has acted as a magistrate,—as a public man.—As such I

a single stick of timber to be cut down, for any purpose, without first having obtained a regular order from the Treasury—on the contrary (as it has been heretofore justly remarked) it has been preserved for the use of the public, with an attention and integrity not to be parallelled in any other royal forest.

For the better convenience of supplying the industrious poor of the circumjacent country with firing, it has been always a custom to arrange the coppices in a regular progression, so as to cut two or more annually.—There are however two coppices (which contain a great quantity of fine timber) exempt from commonage; and as none of the stated periods for the others are yet expired, though they are too young, yet rather than withhold the wood from the navy, the duke has given orders for fencing and clearing them, which will be effected long ere the proper season arrives for felling the trees—The rest will be cut as they fall in course.—'Mr JUNIUS, this is fact, not declamation.'—The oaks will come down; the king will not be defrauded; nor will the navy of England perish for want of them!

How must it scandalize all our patriots that their omniscient JUNIUS should discover such consummate ignorance, as to be reduced to the necessity of examining the original grant, to inform himself of a notorious point, which he might have learned from every attorney's clerk throughout the kingdom; nay even from Brass Crosby, who was only a menial servant to an attorney, 'that the timber in royal forests is reserved for the use of the crown?'

This, I say, may serve for a damning proof of JUNIUS's veracity—and all his slanderous productions are equally refutable and false.—In the abundance of his modesty, he has somewhere told us that his writings will be handed down to posterity like the Bible!—It is needless for me to censure his irreverent comparison; nor will I altogether deny his prediction; for while the Bible endures as a monument of truth, his writings may stand in odious contrast as a monument of lies. PHILALETHES.—EDIT.

[1] By the ordinary rotation of office, the mayoralty of the ensuing year, it was well known, would pass into the hands of alderman Nash, whose political views concurred with those of the existing administration: and the object of the present Letter therefore is to persuade the Livery to overlook Mr Nash, and by an extraordinary exercise of their elective franchise, to return Mr Crosby or Mr Sawbridge in his stead, whose politics were well known to be of the Whig school. But the divisions which had been introduced into the Bill of Rights Society, through the vanity of Oliver and Horne, had now spread to the city, and almost ruined the popular cause.—Many were suspicious of the purity of its leaders—and still more were grown indifferent as to its result.—The motives urged by JUNIUS and his party were not deemed of sufficient importance to violate an established custom, and Mr Nash was elected lord mayor. —EDIT.

speak of him.—I see his name in a protest against one of your remonstrances to the crown.—He has done every thing in his power to destroy the freedom of popular elections in the city, by publishing the poll upon a former occasion; and I know, in general, that he has distinguished himself, by slighting and thwarting all those public measures, which *you* have engaged in with the greatest warmth, and hitherto thought most worthy of your approbation.—From his past conduct what conclusion will you draw, but that he will act the same part as *lord mayor*, which he has invariably acted as *alderman* and *sheriff?* He cannot alter his conduct, without confessing that he never acted upon principle of any kind.—I should be sorry to injure the character of a man, who perhaps may be honest in his intentions, by supposing it *possible* that he can ever concur with you in any political measure, or opinion.

If, on the other hand, you mean to persevere in those resolutions for the public good, which, though not always successful, are always honourable, your choice will naturally incline to those men, who (whatever they be in other respects) are most likely to co-operate with you in the great purposes which you are determined not to relinquish:—The question is not, of what metal your instruments are made, but *whether they are adapted to the work you have in hand?* The honours of the city, *in these times*, are improperly, because exclusively, called a *reward*. You mean not merely to *pay*, but to *employ*.—Are Mr *Crosby* and Mr *Sawbridge* likely to execute the extraordinary, as well as the ordinary, duties of lord mayor?—Will they grant you common halls when it shall be necessary?—Will they go up with remonstrances to the king?—Have they firmness enough to meet the fury of a venal House of Commons?—Have they fortitude enough not to shrink at imprisonment?—Have they spirit enough to hazard their lives and fortunes in a contest, if it should be necessary, with a prostituted legislature?—If these questions can fairly be answered in the affirmative, your choice is made. Forgive this passionate language.—I am unable to correct it.—The subject comes home to us all.—It is the language of my heart.[1]

JUNIUS.

[1] See Private Letter, No. 56.—EDIT.

LETTER LIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 5 *October*, 1771.

No man laments, more sincerely than I do, the unhappy differences which have arisen among the friends of the people, and divided them from each other. The cause undoubtedly suffers, as well by the diminution of that strength, which union carries with it, as by the separate loss of personal reputation, which every man sustains, when his character and conduct are frequently held forth in odious or contemptible colours.——These differences are only advantageous to the common enemy of the country.—The hearty friends of the cause are provoked and disgusted. The lukewarm advocate avails himself of any pretence to relapse into that indolent indifference about every thing that ought to interest an Englishman, so unjustly dignified with the title of moderation.——The false, insidious partisan, who creates or foments the disorder, sees the fruit of his dishonest industry ripen beyond his hopes, and rejoices in the promise of a banquet, only delicious to such an appetite as his own.—It is time for those who really mean the *Cause* and the *People*,[2] who have no view to private advantage, and who have virtue enough to prefer the general good of the community to the gratification of personal animosities,—it is time for such men to interpose.—Let us try whether these fatal dissensions may not yet be reconciled; or, if that be impracticable, let us guard at least against the worst effects of division, and endeavour to persuade these furious

[1] See Private Letter, No. 63.—EDIT.

partisans, if they will not consent to draw together, to be separately useful to that cause which they all pretend to be attached to.—Honour and honesty must not be renounced, although a thousand modes of right and wrong were to occupy the degrees of morality between Zeno and Epicurus. The fundamental principles of Christianity may still be preserved, though every zealous sectary adheres to his own exclusive doctrine, and pious ecclesiastics make it part of their religion to persecute one another. —— The civil constitution too, that legal liberty, that general creed, which every Englishman professes, may still be supported, though Wilkes, and Horne, and Townshend, and Sawbridge should obstinately refuse to communicate, and even if the fathers of the church, if Savile, Richmond, Camden, Rockingham, and Chatham, should disagree in the ceremonies of their political worship, and even in the interpretation of twenty texts in Magna Charta.—I speak to the people as one of the people.—Let us employ these men in whatever departments their various abilities are best suited to, and as much to the advantage of the common cause, as their different inclinations will permit. They cannot serve *us*, without essentially serving themselves.

If Mr *Nash* be elected, he will hardly venture, after so recent a mark of the personal esteem of his fellow-citizens, to declare himself immediately a courtier. The spirit and activity of the sheriffs will, I hope, be sufficient to counteract any sinister intentions of the lord mayor. In collision with *their* virtue, perhaps he may take fire.

It is not necessary to exact from Mr Wilkes the virtues of a Stoic. *They* were inconsistent with themselves, who, almost at the same moment, represented him as the basest of mankind, yet seemed to expect from him such instances of fortitude and self-denial, as would do honour to an apostle. It is not however flattery to say, that he is obstinate, intrepid, and fertile in expedients.—That he has no possible resource, but in the public favour, is, in my judgment, a considerable recommendation of him. I wish that every man, who pretended to popularity, were in the same predicament. I wish that a retreat to St James's were not so easy and open, as patriots have found it. To Mr Wilkes there is no access. However he may be misled by passion or imprudence, I think he cannot be guilty of a deliberate treachery to the public. The favour of his country constitutes the shield, which defends him against a thousand daggers. — Desertion would disarm him.

I can more readily admire the liberal spirit and integrity than the sound judgment of any man, who prefers a republican form of government, in this or any other empire of equal extent, to a monarchy so qualified and limited as ours. I am convinced, that neither is it in theory the wisest system of government, nor practicable in this country. Yet, though I hope the English constitution will for ever preserve its original monarchical form, I would have the manners of the people purely and strictly republican.—I do not mean the licentious spirit of anarchy and riot.—I mean a general attachment to the common weal, distinct from any partial attachment to persons or families;—an implicit submission to the laws only, and an affection to the magistrate, proportioned to the integrity and wisdom with which he distributes justice to his people, and administers their affairs. The present habit of our political body appears to me the very reverse of what it ought to be. The form of the constitution leans rather more than enough to the popular branch; while, in effect, the manners of the people (of those at least who are likely to take a lead in the country) incline too generally to a dependence upon the crown. The real friends of arbitrary power combine the facts, and are not inconsistent with their principles, when they strenuously support the unwarrantable privileges assumed by the House of Commons. — In these circumstances, it were much to be desired that we had many

such men as Mr Sawbridge to represent us in parliament.—I speak from common report and opinion only, when I impute to him a speculative predilection in favour of a republic.—In the personal conduct and manners of the man, I cannot be mistaken. He has shown himself possessed of that republican firmness, which the times require, and by which an English gentleman may be as usefully and as honourably distinguished, as any citizen of ancient Rome, of Athens, or Lacedæmon.

Mr Townshend complains, that the public gratitude has not been answerable to his deserts.—It is not difficult to trace the artifices, which have suggested to him a language so unworthy of his understanding. A great man commands the affections of the people. A prudent man does not complain when he has lost them. Yet they are far from being lost to Mr Townshend. He has treated our opinion a little too cavalierly. A young man is apt to rely too confidently upon himself, to be as attentive to his mistress as a polite and passionate lover ought to be. Perhaps he found her at first too easy a conquest.—Yet, I fancy, she will be ready to receive him, whenever he thinks proper to renew his addresses. With all his youth, his spirit, and his appearance, it would be indecent in the lady to solicit his return.

I have too much respect for the abilities of Mr Horne, to flatter myself that these gentlemen will ever be cordially re-united. It is not, however, unreasonable to expect, that each of them should act his separate part, with honour and integrity to the public.—As for differences of opinion upon speculative questions, if we wait until *they* are reconciled, the action of human affairs must be suspended for ever. But neither are we to look for perfection in any one man, nor for agreement among many.——When *lord Chatham* affirms, that the authority of the British legislature is not supreme over the colonies, in the same sense in which it is supreme over Great Britain;——when *lord Camden* supposes a necessity (which the king is to judge of), and, founded upon that necessity, attributes to the crown a legal power (not given by the act itself) to suspend the operation of an act of the legislature,—I listen to them both with diffidence and respect, but without the smallest degree of conviction or assent. Yet, I doubt not, they delivered their real sentiments, nor ought they to be hastily condemned.—I *too* have a claim to the candid interpretation of my country, when I acknowledge an involuntary compulsive assent to one very unpopular opinion. I lament the unhappy necessity, whenever it arises, of providing for the safety of the state, by a temporary invasion of the personal liberty of the subject.[1] Would to God it were practicable to reconcile these important objects, in every possible situation of public affairs!—I regard the legal liberty of the meanest man in Britain, as much as my own, and would defend it with the same zeal. I know we must stand or fall together. But I never can doubt, that the community has a right to command, as well as to purchase, the service of its members. I see that right founded originally upon a necessity, which supersedes all argument. I see it established by usage immemorial, and admitted by more than a tacit assent of the legislature. I conclude there is no remedy, in the nature of things, for the grievance complained of; for, if there were, it must long since have been redressed. Though numberless opportunities have presented themselves, highly favourable to public liberty, no successful attempt has ever been made for the relief of the subject in this article. Yet it has been felt and complained of, ever since England had a navy.—The conditions, which constitute this right, must be taken together. Separately, they have little weight. It is not fair to argue, from any abuse in the execution, to the illegality of the power; much less is a conclusion to be drawn from the navy to the land service. A seaman can never be employed but

[1] He alludes to the practice of impressing men for sea-service: the legality of which he allows, but confines it to seafaring men alone.—Edit.

against the enemies of his country.[1] The only case in which the king can have a right to arm his subjects in general, is that of a foreign force being actually landed upon our coast. Whenever that case happens, no true Englishman will enquire, whether the king's right to compel him to defend his country be the custom of England, or a grant of the legislature. With regard to the press for seamen, it does not follow that the symptoms may not be softened, although the distemper cannot be cured. Let bounties be increased as far as the public purse can support them.[2] Still they have a limit; and when every reasonable expense is incurred, it will be found, in fact, that the spur of the press is wanted to give operation to the bounty.

Upon the whole, I never had a doubt about the strict right of pressing, until I heard that lord Mansfield had applauded lord Chatham for delivering something like this doctrine in the House of Lords. That consideration staggered me not a little. But, upon reflection, his conduct accounts naturally for itself. He knew the doctrine was unpopular, and was eager to fix it upon the man, who is the first object of his fear and detestation. The cunning Scotchman never speaks truth without a fraudulent design. In council, he generally affects to take a moderate part. Besides his natural timidity, it makes part of his political plan, never to be known to recommend violent measures. When the guards are called forth to murder their fellow-subjects, it is not by the ostensible advice of lord Mansfield. That odious office, his prudence tells him, is better left to such men as Gower and Weymouth, as Barrington and Grafton. Lord Hillsborough wisely confines *his* firmness to the distant Americans.—The designs of Mansfield are more subtle, more effectual, and secure.—Who attacks the liberty of the press?—Lord Mansfield.—Who invades the constitutional power of juries?—Lord Mansfield.—What judge ever challenged a juryman, but lord Mansfield?—Who was that judge, who, to save the king's brother,

[1] At the time when the dispute between this country and Spain existed, relative to Falkland's Islands, for a brief account of which, see note to Miscellaneous Letter, No. LXXXVIII., under a persuasion that war was inevitable, an armament took place, and press-warrants were issued. The legality of these, in regard to the city, though backed by the lord mayor, was questioned by Mr Wilkes and several other aldermen, who discharged all persons brought before them so impressed. In consequence of these discordant views of the subject, the three following questions were submitted, by the lord mayor, to the opinion of three of the most celebrated counsel of the day, which, together with their answers, it has been thought right to subjoin.

Query 1. May the lords of the Admiralty of themselves, by virtue of their commission, or under the direction of the privy council, legally issue warrants for the impressing of seamen?

Q. 2. If yea, is the warrant annexed, in point of form, legal?

Q. 3. Is the lord mayor compellable to back such warrants? if he is, what may be the consequence of a refusal?

'The power of the crown to compel persons pursuing the employment and occupation of seamen to serve the public in times of danger and necessity, which has its foundation in that universal principle of the laws of all countries, that all private interest must give way to the public safety, appears to us to be well established by ancient and long-continued usage, frequently recognized; and, in many instances, regulated by the legislature, and noticed at least without censure by courts of justice; and we see no objection to this power being exercised by the lords of the Admiralty under the authority of His Majesty's orders in council.

'The form of the warrant, as well as the manner in which such warrants have been usually executed, appear to us to be liable to many considerable objections; but the nature of those objections lead us to think it the more expedient, that the authority of a civil magistrate should interpose in the execution of them, to check and controul the abuses to which they are liable; and, therefore, although we do not think that the lord mayor is compellable to back the warrants, or liable to any punishment in case of his refusal, we think it right to submit it to his Lordship's consideration, whether it will not be more conducive to the preservation of the peace of the city, and the protection of the subject from oppression, if he conforms, in this instance, to what we understand to have been the practice of most of his predecessors upon the like occasion.

AL. WEDDERBURN,
J. GLYNN,
J. DUNNING.'—EDIT.

'*November 22nd*, 1770.

[2] This suggestion of the author was adopted by the cities of London, Bristol, and Edinburgh; and the towns of Montrose, Aberdeen, Cambletown, and Lynn.—EDIT.

affirmed that a man of the first rank and quality, who obtains a verdict in a suit for criminal conversation, is entitled to no greater damages than the meanest mechanic? — Lord Mansfield. — Who is it makes commissioners of the great seal?—Lord Mansfield.—Who is it forms a decree for those commissioners, deciding against lord Chatham,[1] and afterwards (finding himself opposed by the judges) declares in parliament, that he never had a doubt that the law was in direct opposition to that decree?—Lord Mansfield.—Who is he, that has made it the study and practice of his life, to undermine and alter the whole system of jurisprudence in the Court of King's Bench?—Lord Mansfield. There never existed a man but himself, who answered exactly to so complicated a description. Compared to these enormities, his original attachment to the Pretender (to whom his dearest brother was confidential secretary) is a virtue of the first magnitude. But the hour of impeachment *will* come, and neither he nor Grafton shall escape me. Now let them make common cause against England and the House of Hanover. A Stuart and a Murray should sympathize with each other.

When I refer to signal instances of unpopular opinions delivered and maintained by men, who may well be supposed to have no view but the public good, I do not mean to renew the discussion of such opinions. I should be sorry to revive the dormant questions of *Stamp-act*, *Corn-bill*, or *Press-warrant*. I mean only to illustrate one useful proposition, which it is the intention of this paper to inculcate;—*That we should not generally reject the friendship or services of any man, because he differs from us in a particular opinion.* This will not appear a superfluous caution if we observe the ordinary conduct of mankind. In public affairs, there is the least chance of a perfect concurrence of sentiment or inclination. Yet every man is able to contribute something to the common stock, and no man's contribution should be rejected. If individuals have no virtues, their vices may be of use to us. I care not with what principle the new-born patriot is animated, if the measures he supports are beneficial to the community. The nation is interested in his conduct. His motives are his own. The properties of a patriot are perishable in the individual, but there is a quick succession of subjects, and the breed is worth preserving.—The spirit of the Americans may be an useful example to us. Our dogs and horses are only English upon English ground; but patriotism, it seems, may be improved by transplanting.—I will not reject a bill, which tends to confine parliamentary privilege within reasonable bounds, though it should be stolen from the House of Cavendish, and introduced by Mr Onslow. The features of the infant are a proof of the descent, and vindicate the noble birth from the baseness of the adoption.—I willingly accept of a sarcasm from *Colonel Barré*, or a simile from *Mr Burke*. Even the silent vote of *Mr Calcraft* is worth reckoning in a division.—What though he riots in the plunder of the army, and has only determined to be a patriot when he could not be a peer?[2] Let us profit by the assistance of such men, while they are with us, and place them, if it be possible, in the post of danger, to prevent desertion. The wary *Wedderburne*, the pompous *Suffolk*,[3] never threw away the scabbard, nor ever went upon a forlorn hope. They always treated the king's servants as men,

[1] On the Burton Pynsent estate, which was disputed by the relatives of the deceased with the earl of Chatham. See note [2], p. 316.—EDIT.

[2] Calcraft was introduced into political notice by lord Holland, to whom he had been private secretary, and afterwards accumulated an immense private property, by becoming army agent. He subsequently deserted his patron, and strove to obtain a peerage from administration. He died without having obtained his object. One of his mistresses was the celebrated George Ann Bellamy.—EDIT.

[3] In allusion to his Lordship's manner. Yet it must also be recollected that he headed the renegado Whigs who deserted to the ministry on the death of George Grenville. See Miscellaneous Letters, Nos. XCVI. and XCVII., in which his Lordship's conduct is reprobated in very severe terms, particularly so in the latter.—EDIT.

with whom, some time or other, they might possibly be in friendship.——When a man who stands forth for the public has gone that length, from which there is no practicable retreat,—when he has given that kind of personal offence, which a pious monarch never pardons, I then begin to think him in earnest, and that he never will have occasion to solicit the forgiveness of his country.—But instances of a determination so entire and unreserved are rarely met with. Let us take mankind *as they are.* Let us distribute the virtues and abilities of individuals according to the offices they affect, and when they quit the service, let us endeavour to supply their places with better men than we have lost. In this country, there are always candidates enough for popular favour. The temple of *fame* is the shortest passage to riches and preferment.

Above all things, let me guard my countrymen against the meanness and folly of accepting of a trifling or moderate compensation for extraordinary and essential injuries. Our enemies treat us as the cunning trader does the unskilful Indian. They magnify their generosity, when they give us baubles, of little proportionate value, for ivory and gold. The same House of Commons, who robbed the constituent body of their right of free election, who presumed to *make* a law under pretence of *declaring* it ;[1] who paid our good king's debts, without once enquiring how they were incurred ; who gave thanks for repeated murders committed at home, and for national infamy incurred abroad ; who screened *lord Mansfield ;* who imprisoned the magistrates of the metropolis, for asserting the subject's right to the protection of the laws ; who erased a judicial record, and ordered all proceedings in a criminal suit to be suspended ;[2]—this very House of Commons have graciously consented, that their own members may be compelled to pay their debts, and that contested elections shall for the future be determined with some decent regard to the merits of the case. The event of the suit is of no consequence to the crown. While parliaments are septennial, the purchase of the sitting member or of the petitioner makes but the difference of a day. —Concessions, such as these, are of little moment to the sum of things ; unless it be to prove, that the worst of men are sensible of the injuries they have done us, and perhaps to demonstrate to us the imminent danger of our situation. In the shipwreck of the state, trifles float and are preserved ; while every thing solid and valuable sinks to the bottom, and is lost for ever.

JUNIUS.

LETTER LX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 15 *October*, 1771.

I AM convinced that JUNIUS is incapable of wilfully misrepresenting any man's opinion, and that his inclination leads him to treat *lord Camden* with particular candour and respect. The doctrine attributed to him by JUNIUS, as far as it goes, corresponds with that stated by your correspondent *Scævola*,[3] who seems to me

[1] The *Nullum Tempus* Bill, which was passed in the year 1769.—EDIT.

[2] For a further explanation on this subject see note to Miscellaneous Letter, No. XCII., —EDIT.

[3] The letter of Scævola here referred to occurs in the Public Advertiser of October 12, and is as follows :

TO JUNIUS.

SIR,

You have mistaken lord Camden's opinion, and changed it into as weak and mischievous a tenet as could have proceeded from Scroggs or Jefferies. You have made it the counterpart of the ship-money doctrine. In this representation you follow lord Mansfield, who gave that colour to the argument in the House of Lords. The great point of difference between the *representation* and the *truth* is, that the former makes lord Camden pronounce the king judge of the necessity, and the latter, viz. my lord Camden's real speech, makes parliament the judge of it, and exposes the head of the minister who advised the illegal act upon the plea of its necessity to the mercy of parliament. Lord Camden's opinion, which I heard him twice deliver in the House of Lords, was this :—That

to make a distinction without a difference. *Lord Camden*, it is agreed, did certainly maintain that, in the recess of parliament, the king (by which we all mean the *king in council*, or the executive power) might suspend the operation of an act of the legislature; and he founded his doctrine upon a supposed necessity, of which the king, *in the first instance*, must be judge. The Lords and Commons cannot be judges of it in the first instance, for they do not exist.—Thus far JUNIUS.

But, says *Scævola*, *lord Camden* made *parliament*, and not the *king*, judges of the necessity.—That parliament may review the acts of ministers is unquestionable; but there is a wide difference between saying that the crown has a *legal* power, and, that ministers may act *at their peril*. When we say an act is *illegal*, we mean that it is forbidden by a joint resolution of the three estates. How a subsequent resolution of two of those branches can make it *legal ab initio*, will require explanation. If it could, the consequence would be truly dreadful, especially in these times. There is no act of arbitrary power, which the king might not attribute to *necessity*, and for which he would not be secure of obtaining the approbation of his prostituted Lords and Commons. If lord *Camden* admits that the subsequent sanction of parliament was necessary to make the proclamation *legal*, why did he so obstinately oppose the bill, which was soon after brought in, for indemnifying all those persons who had acted under it?—If that bill had not been passed, I am ready to maintain, in direct contradiction to lord Camden's doctrine (taken as *Scævola* states it), that a litigious exporter of corn, who had suffered in his property in consequence of the proclamation, might have laid his action against the custom-house officers, and would infallibly have recovered damages. No jury could refuse them; and if I, who am by no means litigious, had been so injured, I would assuredly have instituted a suit in Westminster-hall, on purpose to try the question of right. I would have done it upon a principle of defiance of the pretended power of either or both Houses to make declarations inconsistent with law, and I have no doubt that, with an act of parliament on my side, I should have been too strong for them all. This is the way in which an Englishman should speak and act, and not suffer dangerous precedents to be established, because the circumstances are favourable or palliating.

With regard to lord *Camden*, the truth is, that he inadvertently over-shot himself, as appears plainly by that unguarded mention of a *tyranny of forty days*, which I myself heard. Instead of asserting that the proclamation was *legal*, he *should* have said, 'My Lords, I know the proclamation was *illegal*, but I advised it because it was indispensably necessary to save the kingdom from famine, and I submit myself to the justice and mercy of my country.'

Such language as this would have been manly, rational, and consistent:—not unfit for a lawyer, and every way worthy of a great man.

PHILO JUNIUS.

P. S. If *Scævola* should think proper to write again upon this subject, I beg of him to give me a *direct* answer, that is, a plain affirmative or negative, to the following questions:—In the interval between the publishing such a proclamation (or order of

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'if the king should, in the recess of parliament, issue a proclamation, directing a step to be taken flat against a subsisting law, and at the next meeting of parliament, the step should appear *to them* to have been necessary for the good of the state, *their* declaration of that necessity would operate as a retrospect, so as to make the act legal *ab initio*,'—(which is an idea countenanced by Mr *Locke*).

That this was the scope and tenor of the noble lord's argument, I appeal to himself and all that heard him.—Whether the opinion, so restored, be or be not erroneous in point of law, is a question foreign to this letter, which has no other view but to convince the public, that his Lordship never delivered that pernicious and foolish opinion which JUNIUS, by mistake, and lord Mansfield, by the basest misrepresentation, has imputed to him.

SCÆVOLA.

For JUNIUS's opinion of this writer, see the Note to Private Letter, No. 47.—EDIT.

council) as that in question, and its receiving the sanction of the two Houses, of what nature is it—is it *legal* or *illegal;* or is it neither one nor the other?—I mean to be candid, and will point out to him the consequence of his answer either way.—If it be *legal*, it wants no farther sanction. If it be *illegal*, the subject is not bound to obey it, consequently it is a useless, nugatory act, even as to its declared purpose. Before the meeting of parliament, the whole mischief, which it means to prevent, will have been completed.[2]

LETTER LXI.

TO ZENO.[3]

SIR, 17 *October*, 1771.

THE sophistry of your letter in

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[1] The following extract of a subsequent letter from Scævola, inserted in the Public Advertiser, October 24, 1771, proves sufficiently that this writer at last admitted lord Camden to have maintained an erroneous doctrine.

'My lord Camden certainly thought the vote of the two Houses *in this case* equivalent to a parliamentary declaration: he also thought such declaration made the act (illegal before) legal *ab initio*. Now as lord Camden is no patron of mine, I am free to declare, that I am satisfied he was wrong in both those points on the foot of strict law; that he was wrong upon his conviction JUNIUS himself has once admitted; and that he was wrong upon fair and rational, though not satisfactory, grounds, will appear to every man of good understanding. The shade between his erroneous doctrine and the true one, being in sense and reason hardly distinguishable; both doctrines admit the proclamation to be illegal, and at the minister's peril till the meeting of parliament. Both doctrines admit the two Houses of Parliament (in this or that mode) sole judges of the necessity. Both doctrines agree in exposing the minister to impeachment, if the two Houses of Parliament should decide against his plea of necessity. Whether upon the declaration of necessity the act becomes good in law *ab initio*, or not, is the only question. *Locke* (no Tory) holds the affirmative. The law, in my opinion, strictly taken, is in the negative; for I conceive that nothing but an indemnity-bill could justify the crown for having superseded a positive act of parliament.'

To these remarks JUNIUS, on the following day, puts the subjoined questions:—

1st. 'In what part of Mr Locke's writings is it maintained that the king may suspend an act of parliament, and that the subsequent approbation of the two Houses makes the suspension *legal ab initio*, or to that effect?

2nd. 'Does Scævola think that an act of the whole legislature is as easily obtained and completed, as a vote of the Lords or Commons?'—The rest is a dispute about words not worth continuing.—EDIT.

[2] The letter of Zeno here referred to occurs in the Public Advertiser, dated October 15, 1771, and is addressed 'To JUNIUS, alias Edmund the Jesuit of St Omer's.' This writer, however, was not the only one of the same period who erred in attributing the Letters of JUNIUS to Mr Burke. See Preliminary Essay, in which the reasons for disbelieving that gentleman to have been the author of them, are more particularly given.

As JUNIUS thought Zeno's letter worthy of a reply, the reader may not think it unworthy of a perusal. It is as follows:

SIR,

Your letter of the 8th is a greater miracle than any you have hitherto produced. I do not mean in its argument, language, and arrangement. In these particulars you have been invested with a creative power, and whatever you are pleased to bring forth, is not for us to approve, but to admire: but, sir, your letter of the 8th is not written in the single spirit of calumny; you have now turned the efforts which formerly were exerted in creating divisions amongst the good, to cement those which never fail to arise amongst the bad. I have no objection to your success in this undertaking. Let the fathers of your church and the sons of the city unite. Let them club their arts and their powers. Let Wilkes enjoy his fertility in expedients, he will have need for it all. But neither that fertility, the republican firmness of Sawbridge, no, nor the youth, spirit, and graces of Townshend, will avail to overturn the constitution, or even procure to them or to you the ultimate object of your desires—a little money.

Yet, Sir, why, in a letter professedly written to reconcile the patriots of the city, do you make a digression to abuse lord Mansfield? Is it because of the diametrical opposition of his character to theirs? Certainly it must be so; and JUNIUS is less a fool than I believed him. Nothing more likely to reconcile rogues who rail at each other, than railing at honest men. If your dogs are of the true breed, they will leave off worrying one another, and join in the cry against the common enemy.

It is on the subject of this abuse that I take the liberty to address the mighty JUNIUS.

This phœnix of politicians and of reasoners tells the public, that 'he never had a doubt about the strict right of pressing, till he knew lord Mansfield was of the same opinion. That indeed staggered him not a little;' and to be sure it was a staggering consideration: for who is to learn that lord Mansfield is utterly ignorant of the law? and that his judgment is avowedly so weak and perverse, that a wise politician (I mean so very wise a politician as JUNIUS) will examine no further, but at once conclude that proposition

defence of *lord Mansfield* is adapted to the character you defend. But *lord Mansfield* is a man of *form*, and seldom in his behaviour transgresses the rules of decorum.

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in law to be false, which lord Mansfield holds to be true.

Sir, when you are only puerile, blundering, inconsistent, and absurd, I treat you as you deserve, with ridicule and contempt. But when you assert positive falsehoods, the mildest usage you can expect, is to have them crammed down the foul throat from which they issued. Of this nature are the questions you make, and the answers you are pleased to give to yourself, in relation to lord Mansfield. So many infamous lies as these answers contain, were never crowded together before—not even by JUNIUS. You insinuate (and you dare but insinuate) that lord Mansfield was the secret adviser of sending out the guards when the affair of St George's Fields happened. That his Lordship was in any shape ostensibly or otherwise concerned in that matter, that he knew of it till days after it happened, is a lie of the first magnitude; and I dare you to bring even the shadow of proof of your infamous assertion.

It is also a lie that lord Mansfield attacks the liberty of the press. He has endeavoured, indeed, by legal and constitutional methods, to restrain the abuse of that liberty, and in doing so he has shown himself a good citizen. Are you a politician, and ignorant that the abuse of the best things makes them degenerate into the worst? Are you a pretender to reason, and ignorant that the abuse of a valuable privilege is the certain mean to lose it? Are not you a public defamer of every respectable character in the nation? Have not you carried the licence of the press beyond the bounds not only of decency and humanity, but even of human conception? And dare you complain that its liberty is attacked? Your reliance on the ignorance of those to whom you write must be great indeed, when you dare affirm a fact which is contradicted and proved a lie by the very affirmation of its truth.

Nor is it less false, that lord Mansfield invades the constitutional power of juries. I refer all who are not willing to believe a lie upon the credit of a common liar, to the letters of Phileleutherus Anglicanus, and those under the signature of A Candid Enquirer, for information on this subject. The letters are in the Public Advertisers of November and December last; and from them, all who are able to form a judgment on a question of law, will see it clearly demonstrated, that lord Mansfield's opinion with respect to the power of juries, is no less the law of the land, than the advantage of the subject.

Your question relating to lord Mansfield's challenging a juryman, I confess I do not understand, neither do I know to what it alludes; a charge of that nature ought to have been accompanied with circumstances of time, place, and occasion. When, where, and on what account was this done? Answer me these questions, and I pledge myself to the public, that I shall prove, to the conviction of every reasonable man, that if it was so done, it was legally done.

Your next accusation shows you no less void of judgment and consistency than of justice and truth. You accuse lord Mansfield to the public, for saying a lord is entitled to no greater damages in a suit for the debauching of his wife, than a mechanic. Lord Mansfield did say, that in an action of damages for criminal conversation, the law did not consider the rank of the person injured; and in this he uttered not only the dictates of law, but the dictates of common sense and humanity, neither of which you seem to understand. Had lord Mansfield said that the law did not consider the rank of the injuring person, it might have been argued that he meant to screen the king's brother: but the difference between light and darkness is not greater than between this proposition and the proposition he maintained. None but an Irish understanding could possibly take the change, or suppose them convertible propositions. But can you, JUNIUS, seriously make your court to the people, by telling them there is a wide difference between the crime of debauching the wife of a lord, and one of their own? You were bred at St Omer's. You were destined for a church, not that indeed of which Savile, &c., are the fathers; but however a church which requires some reading. Reading the Scriptures, it is true, is forbid by your canons; but surely you have heard of the prophet Nathan's address to David on a subject of this nature? The prophet, worse than lord Mansfield, thought that debauching the wife of a poor man was a greater crime than debauching the wife of a lord; for this plain and humane reason, that a poor man's wife was his all, his only comfort and consolation, whereas a rich man had many others; yet JUNIUS, the popular JUNIUS, tells the people plainly, that debauching one of their wives is nothing in comparison of lying with a lord's, and arraigns the upright and discerning judge, who says that the injury to the husband is in both cases equal.

Who makes commissioners of the great seal? Lord Mansfield.—Indeed;—I thought that power had only resided in the king. To see how plain men may mistake! If you, JUNIUS, by making commissioners, mean advising the king to make commissioners, I understand you. The expression is rather inaccurate, but that one is often obliged to pass over in JUNIUS. In my turn give me leave to ask you a question. Who so proper to advise his Majesty in the choice of a law officer as lord Mansfield?

But lord Mansfield not only made the commissioners of the great seal: he also framed their decree, and then disavowed the decree of his own framing in the House of Peers. This is an absurd and an improbable lie. It is absurd and improbable to suppose lord Mansfield framed a decree for three judges very capable to frame one themselves. It is more absurd to suppose

I shall imitate his Lordship's good manners, and leave *you* in full possession of his principles. I will not call you *liar*, *Jesuit*, or *villain;* but, with all the politeness imaginable, perhaps I may prove you so.

Like other fair pleaders in *lord Mansfield's* school of justice, you answer JUNIUS by misquoting his words, and misstating his propositions. If I am candid enough to admit that this is the very logic taught at *St Omer's*, you will readily allow that it is the constant practice in the court of *King's Bench.*—JUNIUS *does not say*, that he never had a doubt about the strict right of pressing, *till he knew lord Mansfield was of the same opinion.* His words are, *until he heard that lord Mansfield had applauded lord Chatham for maintaining that doctrine in the House of Lords.* It was not the accidental concurrence of lord Mansfield's opinion, but the suspicious applause given by a cunning Scotchman to the man he detests, that raised and justified a doubt in the mind of JUNIUS. The question is not, whether lord Mansfield be a man of learning and abilities (which JUNIUS has never disputed), but whether or no he abuses and misapplies his talents.

JUNIUS did *not* say that lord Mansfield had advised the calling out the guards. On the contrary, his plain meaning is, that he left that odious office to men less cunning than himself.—Whether lord Mans-

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lord Mansfield would disavow the decree which he himself had made, in the presence of the three commissioners for whom he had made it, and who could so easily have detected his duplicity. And it is a direct and public lie that lord Mansfield said he never had a doubt that the law was in direct opposition to that decree. He did not give an opinion in the House of Peers. He only stated the question; and the decree was reversed on the unanimous opinion of the eight judges who attended. For the truth of this I appeal to all who were present.

The last charge of JUNIUS represents lord Mansfield making it his study to undermine and alter the whole system of jurisprudence in the King's Bench. One would scarcely believe that there could be an understanding so twisted, or a heart so corruptly malignant, as to make that an article of accusation, which, fairly taken, includes in it the most exalted merit and virtue. If there be a superlatively eminent quality in lord Mansfield's great and deserved character, it is the unremitting and unwearied efforts he constantly has made to rescue injured and oppressed innocence from the harpy fangs of chicane and quibble. The nation does him justice in this particular; and all the arts and lies that have been employed to defame him, have never been able to stagger the public confidence in his judgment and integrity. The proof of this is in the breast of every man to whom I write; and the crowd of suitors in the court where he presides, gives the most honourable testimony to the truth which I affirm, and the most palpable lie to the assertion of the abandoned JUNIUS.

And now, Sir, having answered all your questions, you are worth no further notice. I shall in my turn address a few queries to the public; and I am sorry that the temper of the times should oblige me to recall to their memory things which ought to be indelibly engraven on the heart of every Englishman.

By whose advice was it that his Majesty immediately on his accession to the throne made the judges places for life, thereby rendering them independent on king or minister? Lord Mansfield.—When lord Chatham and lord Camden attempted to revive the impious and unconstitutional doctrine of a power in the crown to dispense with the laws of the land (which was precisely the point on which the glorious revolution hinged, and the doctrine for maintaining of which James II. lost his crown); who stood in the breach, and with eloquence and argument, more than human, defeated the pernicious attempt? Lord Mansfield.—Who supported and carried through the House of Peers the bill called the Nullum Tempus Bill; that law by which the minds of the people were quieted against apprehension of claims on the part of the crown? Lord Mansfield.—To whom do we owe the success of the bill for restraining the privilege of parliament, of such essential service to the internal commerce of the nation, and especially to that part of it which could least afford to lie under any disadvantage, the industrious shopkeeper and tradesman? Lord Mansfield.—Who carried Mr Grenville's last legacy to the nation through the House of Peers, that bill by which questions of elections in the House of Commons are henceforth to be tried in a manner which will prevent the injustice supposed to have been done in the Middlesex election, and guard against the bad consequences which it was feared might follow from that determination? Lord Mansfield.

I might add many other constitutional questions in which lord Mansfield has ever been on the side of public liberty. But if what I have already said be not sufficient to vindicate the first character in the nation from the false aspersions of an unprincipled scribbler, I am bold to say, that the time is now arrived, when it is unworthy of an honest man to labour for the public; and the character of an Englishman, once so respectable, will no longer be known but by its folly and ingratitude.—ZENO. EDIT.

field's doctrine concerning libels be or be not an attack upon the liberty of the press, is a question, which the public in general are very well able to determine. I shall not enter into it at present. Nor do I think it necessary to say much to a man, who had the daring confidence to say to a jury, 'Gentlemen, you are to bring in a verdict *guilty* or *not guilty*, but whether the defendant be guilty or innocent is not matter for *your* consideration.' Clothe it in what language you will, this is the sum total of lord Mansfield's doctrine. If not, let *Zeno* show us the difference.

But it seems, *the liberty of the press may be abused*, and *the abuse of a valuable privilege is the certain means to lose it.* The *first* I admit,—but let the *abuse* be submitted to a jury, a sufficient and indeed the only legal and constitutional check upon the licence of the press. The *second* I flatly deny. In direct contradiction to *lord Mansfield* I affirm, that 'the abuse of a valuable privilege *is not* the *certain* means to lose it.' If it were, the English nation would have few privileges left, for where is the privilege that has not, at one time or other, been abused by individuals. But it is false in reason and equity, that particular abuses should produce a general forfeiture. Shall the community be deprived of the protection of the laws, because there are robbers and murderers?—Shall the community be punished, because individuals have offended? Lord Mansfield says so, consistently enough with his principles, but I wonder to find him so explicit. Yet, for one concession, however extorted, I confess myself obliged to him.—The liberty of the press is, after all, a *valuable privilege*. I agree with him most heartily, and will defend it against him.

You ask me, What *juryman* was challenged by lord Mansfield?—I tell you his name was *Benson*. When his name was called, lord Mansfield ordered the clerk to pass him by. As for his reasons, you may ask himself, for he assigned none.[1] But I can tell you what all men thought of it. This *Benson*[2] had been refractory upon a former jury, and would not accept of the law as delivered by lord Mansfield, but had the impudence to pretend to think for himself.—But you it seems, honest *Zeno*, know nothing of the matter! You never read JUNIUS's letter to your patron! You never heard of the intended instructions from the city to impeach lord Mansfield!—You never heard by what dexterity of *Mr Paterson* that measure was prevented![3] How wonderfully ill some people are informed.

JUNIUS did *never* affirm that the crime of seducing the wife of a mechanic or a peer, is not the same, taken in a moral or religious view. What he affirmed, in contradiction to the levelling principle so lately adopted by lord Mansfield, was, *that the damages should be proportioned to the rank and fortune of the parties;* and for this plain reason (admitted by every other judge that ever sat in Westminster Hall); because, what is a compensation or penalty to one man, is none to another. The sophistical distinction you attempt to draw between the person *injured* and the person *injuring* is *Mansfield* all over. If you can once establish the proposition that the

[1] On a motion made in the House of Commons Nov. 27, 1770, by the Hon. Mr Phipps, for leave to bring in a bill to amend the act of William the Third, which empowers the attorney-general to file informations *ex officio*, the late lord, then Mr Thurlow, solicitor-general, thus defended lord Mansfield from the charge here brought against him by JUNIUS:—'Indeed, if a juryman has been rejected without a challenge from the parties, there is room for clamour. Such an act is highly criminal. No man is able, no honest man would wish to defend it. But let us not be rash in passing sentence. Let the fact be well authenticated, before we condemn. Rumour is not a sufficient ground for proceeding. As we found it a liar in other articles, we have this reason to doubt its veracity; though I frequent Westminster Hall, I know nothing of it; but I must confess that I cannot give it the least credit. The great judge who is suspected, was incapable of such an action.'—EDIT.

[2] See Letter LXIII.—EDIT.

[3] Mr Paterson was one of the common council for the ward of Farringdon Within, and took an active part in favour of government.—EDIT.

injured party is not entitled to receive large damages, it follows pretty plainly that the party *injuring* should not be compelled to *pay* them; consequently the king's brother is effectually screened by *lord Mansfield's* doctrine. Your reference to *Nathan* and *David* comes naturally in aid of your patron's professed system of jurisprudence. He is fond of introducing into the *Court of King's Bench* any law that contradicts or excludes the common law of England; whether it be *canon, civil, jus gentium*, or *Levitical*. But, Sir, the Bible is the code of our religious faith, not of our municipal jurisprudence: and though it was the pleasure of God to inflict a particular punishment upon David's crime (taken as a breach of his divine commands) and to send his prophet to denounce it, an English jury have nothing to do either with David or the prophet. They consider the crime, only as it is a breach of order, an injury to an individual, and an offence to society, and they judge of it by certain positive rules of law, or by the practice of their ancestors. Upon the whole, the man *after God's own heart* is much indebted to you for comparing him to the duke of Cumberland. That his Royal Highness may be the man after *lord Mansfield's* own heart seems much more probable, and you I think, *Mr Zeno*, might succeed tolerably well in the character of *Nathan*. The evil deity, the prophet, and the royal sinner would be very proper company for one another.

You say lord Mansfield did not *make* the commissioners of the great seal,[1] and that he only advised the king to appoint. I believe JUNIUS meant no more, and the distinction is hardly worth disputing.

You say he *did not* deliver an opinion upon lord Chatham's appeal.—I affirm that he *did*, directly in favour of the appeal.[2] This is a point of fact, to be determined by evidence only. But you assign no reason for his supposed silence, nor for his desiring a conference with the judges the day before. Was not all Westminster Hall convinced that he did it with a view to puzzle them with some perplexing question, and in hopes of bringing some of them over to him?—You say the commissioners were *very capable of framing a decree for themselves*. By the fact, it only appears, that they were capable of framing an *illegal* one, which, I apprehend, is not much to the credit either of their learning or integrity.

We are both agreed that *lord Mansfield* has incessantly laboured to introduce new modes of proceeding in the court where he presides; but *you* attribute it to an honest zeal in behalf of innocence oppressed by quibble and chicane. *I* say that he has introduced *new law* too, and removed the landmarks established by former decisions. *I* say that his view is to change a court of common law into a court of equity, and to bring every thing within the *arbitrium* of a *prætorian* court. The public must determine between us. *But now for his merits. First* then, the establishment of the judges in their places for life (which you tell us was advised by lord Mansfield) was a concession merely to catch the people. It bore the appearance of a royal bounty, but had nothing real in it. The judges were already for life, excepting in the case of a *demise*. Your boasted bill only provides that it shall not be in the power of the king's successor to remove them. At the best therefore it is only a legacy, not a gift on the part of his present Majesty, since for himself he gives up nothing.—That he did oppose *lord Camden* and *lord Northington* upon the proclamation against the exportation of corn, is most true, and with great ability. With his talents, and taking the right side of so

[1] It has been already observed that the great seal was put in commission upon the death of Charles Yorke, who cut his throat through political chagrin. Lord Mansfield was upon this occasion made speaker of the House of Lords, and received the fees, which were supposed to amount to £5000 per annum.—EDIT.

[2] Sir Wm Pynsent had bequeathed an estate to lord Chatham, which bequest was controverted by his immediate heirs. The chancellorship, then in commission, was appealed to. Lord Chatham lost his cause by the decision of the commissioners; but gained it upon a further appeal to the House of Lords.—EDIT.

clear a question, it was impossible to speak ill.—His motives are not so easily penetrated. They, who are acquainted with the state of politics at that period, will judge of them somewhat differently from *Zeno*. Of the popular bills, which you say he supported in the House of Lords, the most material is unquestionably that of *Mr Grenville*, for deciding contested elections. But I should be glad to know upon what possible pretence any member of the Upper House could oppose such a bill, after it had passed the *House of Commons*?—I do not pretend to know what share he had in promoting the other two bills, but I am ready to give him all the credit you desire. Still you will find that a whole life of deliberate iniquity is ill atoned for by doing now and then a laudable action upon a mixed or doubtful principle.—If it be unworthy of him, thus ungratefully treated, to labour any longer for the public, in God's name let him retire. His brother's patron (whose health he once was anxious for) is dead, but the son of that unfortunate prince survives, and, I dare say, will be ready to receive him.

PHILO JUNIUS.

LETTER LXII.

TO AN ADVOCATE IN THE CAUSE OF THE PEOPLE.[1]

SIR, 18 *October*, 1771.

YOU do not treat JUNIUS fairly.

[1] The letter thus subscribed appeared in the Public Advertiser, Oct. 16, 1771, and deserves a perusal, as it was deemed entitled to a reply.

TO JUNIUS.

SIR,

THERE is a bigotry in politics as well as in religion. Precepts, which, on examination, we should have found to be erroneous, are often implicitly received by us, because we have formed an opinion of the integrity and sound judgment of those by whom they were penned; but the majority of the people are biassed by those principles entirely which they have imbibed in their youth, and pay deference to those persons and things which their parents instructed them to revere. The greater, therefore, the reputation of a writer, the stricter guard I must keep over my belief, for the easier he might lead my judgment astray. I even think it my duty, when such a writer errs, to sound the alarm; lest my fellow-citizens be unwarily misled.—JUNIUS is their favourite guide; but shall they follow him blindfold, because he affirms it to be dark? No, let them walk with their eyes open, and see if there be not a ray of light.—Credulity and superstitious veneration have ever held in darkness the human mind. It was not till the Pope and his priests had forfeited their character of holiness and infallibility that the Reformation took place, and mankind began to think for themselves; the Scriptures began to be understood in their original meaning, though many to this day interpret them, not as they have considered them in their own minds, but as, by their priests or their parents, they are taught to believe. It was not till the prerogative of the crown was abused by the house of Stuart that the revolution succeeded in the government of Britain. Men then lost that fear and reverence with which they used to behold their king; and they began to imagine it would be better for the common-weal, that his power and prerogative were curtailed. The authority of the monarchical law-writers became also disregarded; and customs, which, before that period, were peaceably received as the laws of the land, were then found to be illegal and inconsistent with the rights of a free man.—Our minds are becoming still daily more enlightened; general warrants have lately been abolished as illegal; and you, JUNIUS, have publicly arraigned the conduct of our chief magistrate, with a freedom hitherto unknown. A few years ago a jury of our own countrymen would have perused your sentiments of their king, with almost the same horror and detestation as they would have read blasphemy against their God. You have indeed, Sir, been the greatest reformer of our political creed, and I revere you for your enlarged mind. But, though in general I assent to the articles of your faith, I cannot entirely agree with you in the opinions delivered to us in your letter of the 8th of this month. What you have there written on the subject of press warrants, does not become your pen. I wish, Sir, for your own honour, you would give that matter a second consideration. You say, 'I see the right (of pressing men into the sea service) founded originally upon necessity, which supersedes all argument. I see it established by usage immemorial, and admitted by more than a tacit assent of the legislature. I conclude there is no remedy, in the nature of things, for the grievance complained of; for, if there were, it must long since have been redressed.'——Now really, Sir, this conclusion is more like the argument of a bigoted priest of the church of Rome, than the sound reasoning of a Protestant divine. You might as well have told us to reverence the Pope, to believe in transubstantiation, and to kneel to all the images of the Popish saints; because if it were not proper so to do, our ancestors would not have done so before us. Would you not have been laughed at if, in the debate on the le-

You would not have condemned him so hastily, if you had ever read *Judge Foster's* argument upon the legality of pressing seamen. A man who has not read that argument, is not qualified to speak accurately upon the subject. In answer to strong facts and fair reasoning, you produce nothing but a vague comparison between two things, which had little or no resemblance to each other. *General warrants*, it is true, had been often issued, but they had never been regularly questioned or resisted, until the case of *Mr Wilkes*. He brought them to trial, and the moment they were tried, they were declared *illegal*. This is not the case of *press warrants*. They have been complained of, questioned, and resisted in a thousand instances; but still the legislature have never interposed, nor has there ever been a formal decision against them in any of the superior courts. On the contrary, they have been frequently recognized and admitted by parliament, and there are judicial opinions given in their favour, by judges of the first character. Under the various circumstances, stated by JUNIUS, he has a right to conclude, *for himself*, that there is no remedy. If you have a good one to propose, you may depend upon the assistance and applause of JUNIUS. The magistrate who guards the liberty of the individual, deserves to be commended. But let him remember that it is also his duty to provide for, or at least not to hazard, the safety of the community. If, in the case of a foreign war, and the expectation of an invasion, you would rather keep your fleet in harbour, than man it by pressing seamen, who refuse the bounty, I have done.

You talk of disbanding the army with wonderful ease and indifference. If a wiser man held such language, I should be apt to suspect his sincerity.

As for keeping up a *much greater* number of seamen in time of peace, it is not to be done. You will oppress the merchant, you will distress trade, and destroy the nursery of your seamen. He must be a miserable statesman, who voluntarily, by the same act, increases the public expense, and lessens the means of supporting it.

PHILO JUNIUS.

gality of general warrants, you had declared there was no remedy against them, because, if there were, they must long since have been declared illegal? Were not general warrants as much established, by usage immemorial, as is the arbitrary custom of pressing men? and were they not as anciently admitted by the tacit assent of the legislature? Surely, Sir, if you had been seriously inclined to investigate the truth, you would have delivered yourself in a more rational style.

A man of your fertile imagination could easily have thought of a remedy against the grievance complained of, in the custom of pressing men. You could have shown us, that a body of seaman, kept in constant pay, was much more necessary for the defence of this country than a standing army. You could, during the peace, have found employment for those seamen in the dock yards, in the herring fishery, in the custom-house cutters, and in fully manning those inactive men of war now most improperly called guard-ships, though originally intended to guard our isle. In short, Sir, if those seamen were to do nothing during the peace, they would still be more requisite than an army in peace only employed to add force to the prerogative of the crown. But JUNIUS was not in earnest. He is perhaps one of our discarded ministers (or rather one of their secretaries, for ministers rarely write so well). He expects to be employed again; and as he may then have occasion for men, suddenly to put a fleet to sea, he must not deliver his opinion against press warrants; if it were received, he might hereafter find a difficulty to equip his fleet; the remedy, though found by him, being not yet applied to the grievance of which the nation would complain.

AN ADVOCATE IN THE CAUSE OF THE PEOPLE.

LETTER LXIII.

22 October, 1771.

A FRIEND of JUNIUS desires it may be observed (in answer to *A Barrister at Law*),[1]

[1] The letter here referred to appeared in the Public Advertiser of Oct. 19, 1771, and is as follows:

Lord MANSFIELD defended against JUNIUS and his party.

JUNIUS derives importance from every reply. His pride is flattered by the number of his opponents; and even detection itself is a triumph to a man who has no honour, no fame to lose. In the absence of all character, he enjoys the security which others owe to a reputation invulnerable on every side: and he is singularly independent of rebuke, under the unparalleled

1°. That the fact of lord Mansfield's having ordered a juryman to be passed by

depravity of his mind.—But there are charges which require an answer, notwithstanding the discredit which is annexed to them, on account of the quarter from which they come. JUNIUS is not more wicked than some of his readers are credulous: and this consideration was the sole inducement to the following dispassionate answer to his late attack upon a great law lord, who is an ornament to the present age.

The charge *that his Lordship challenged a juror*, is at once impossible and absurd. It answers itself, and bears the lie on its face.—But JUNIUS may found his accusation upon a misrepresented fact: A juryman, about fifteen years ago, for a suspicion conceived upon something which happened in court, was passed by with the acuqiescence and consent of the counsel on both sides. Neither of the parties complained. A factious attorney, to gain consequence to himself, began to mutter. He met with no encouragement, and he dropt the affair. JUNIUS ought to know, that jurors are passed by, with the acquiescence of both parties, without a *formal challenge*. Without the consent of *both*, it cannot be done. Such a measure would be a *mis-trial*; and, upon motion, would be set aside of course by the court. But when the parties are satisfied, nobody else has any right to complain.

His Lordship has destroyed the liberty of the press: JUNIUS, in this charge, gives himself the lie. No writer ever used the liberty of the press with such unrestrained freedom as himself: no times were ever so much marked as the present, with public scurrility and defamation. A reply to the charge is in *every* column of *every* paper. They are the most dangerous enemies who abuse the liberty of the press like JUNIUS and his adherents.

His Lordship, not content with destroying the liberty of the press, has, if we believe JUNIUS, *restrained the power of juries.*—Juries, it has never yet been doubted, have a power of doing either right or wrong, according to their will and pleasure. The only question is, by what rules should they govern themselves, if they mean to do right. Till the year 1730, there was some doubt, whether the construction of a libel was not a question of law; but in Franklin's trial, the rule, which has been invariably ever since followed, was admitted by lord Hardwick, then attorney-general, agreed to by eminent counsel on the other side, and adopted by the court. Lord Mansfield made a late opinion of the court very public, undoubtedly with a view that it should be taken up constitutionally in parliament, by those who pretended to differ from him in opinion, by a *bill*, in the progress of which the matter might be discussed, with the assistance of the judges. It was in this light understood; and the most considerable part of those who differed from that opinion in the House of Commons being clear, that there was

(which poor *Zeno* never heard of) is now formally admitted. When *Mr Benson's*

no colour for a declaratory law, moved for a bill to make a law for the future, which was rejected. The enormous crime trumped up by JUNIUS and his party then is, that a judge tells the jury what, in his opinion, *the law is*, and leaves them afterwards to do as they please, without interposition. If he thinks his opinion right, as he most certainly does, it is not in his power to do otherwise; and he *must* repeat the same conduct whenever a similar case comes before him.

JUNIUS next affirms, that 'to save the king's brother, lord Mansfield declared that, in a verdict for criminal conversation, a man of the first quality is entitled to no greater damages than the meanest mechanic.'—I have talked with some who attended the trial, I have read the spurious accounts of it in print. We know how falsely and ignorantly such notes are taken, even when the writers mean no harm. They are generally unintelligible till they are corrected by the persons concerned. But I suspect, that malice joined issue with blunder, in what is made lord Mansfield's opinion. It is full of nonsense, contradictory, and manifestly imperfect. Much depends upon a word or two, a restriction or a qualification. The published opinion makes lord Mansfield tell the jury that the measure of damages must be formed, from all the circumstances of the case taken together. In another place, it makes him state many of the circumstances and say, they are not at all material without any restriction or qualification. But the scope and occasion of the direction are very plain, in whatever words the direction itself was expressed.

A very eminent and able counsel had, with a torrent of eloquence, applied to the passions of the jury. He laboured, with great art and address, to carry them, it is impossible to say where, merely on account of the rank and situation of the parties. The duke of York, he informed the jury, recovered one hundred thousand pounds against a man for calling him a Papist, which was no additional damage to his character, for all England knew him to be actually a Papist. If therefore, continued the counsel, the king's brother recovered so much, the rule should be reciprocal, and the defendant ought to pay much more, as the injury was greater. The learned counsel judiciously passed over the many cases in England—of a duke of Norfolk, a duke of Beaufort, a duke of Grafton, and many other peers, who had recovered moderate damages from men of fortune. But he rested on an Irish case, of which he stated no circumstances, where the rule was to give such damages as should ruin the defendant. He, therefore, contended for an exorbitant verdict, by way of punishment.

It was the indispensable duty of the judge to extricate the matter from the passions of the jury, worked up and biassed by inflammatory eloquence, that powerful instrument of deceit, and to bring it back to their cool and sound judgments. They were, therefore, told that

name was called, *lord Mansfield* was observed to flush in the face (a signal of guilt not uncommon with him), and cried out, *pass him by*. This I take to be something more than a peremptory challenge. It is an *unlawful command*, without any reason assigned. That the counsel did not resist, is true; but this might happen either from inadvertence, or a criminal complaisance to lord Mansfield.—You *Barristers* are too apt to be civil to my Lord Chief Justice, at the expense of your clients.

2°. JUNIUS did never say that lord Mansfield had *destroyed* the liberty of the press. 'That his Lordship has *laboured to destroy*, —that his doctrine is an *attack* upon the liberty of the press,—that it is an *invasion* of the right of juries,' are the propositions maintained by JUNIUS. His opponents never answer him in point, for they never meet him fairly upon his own ground.

3°. *Lord Mansfield's* policy, in endeavouring to screen his unconstitutional doctrines behind an act of the legislature, is easily understood.—Let every Englishman stand upon his guard; the right of juries to return a general verdict, in all cases whatsoever, is a part of our constitution. It stands in no need of a bill, either *enacting* or *declaratory*, to confirm it.[1]

4°. With regard to the *Grosvenor cause*, it is pleasant to observe that the doctrine attributed by JUNIUS to lord Mansfield, is admitted by *Zeno*, and directly defended. The *Barrister* has not the assurance to deny it flatly, but he evades the charge, and softens the doctrine by such poor, contemptible quibbles, as cannot impose upon the meanest understanding.

5°. The quantity of business in the *Court*

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damages are by way of retribution or compensation to the plaintiff for the injury, and to be estimated from all circumstances. The rank and situation of the parties were not of themselves decisive. A peer, under some circumstances, may be entitled to less damages for this injury than a tradesman under other circumstances: That it might be just, in certain situations, to give small damages for this injury against a defendant of great wealth, and in other situations to give ten thousand pounds against a person of low degree. Even from the spurious opinion published, the case appears to have been left to the jury, upon all the circumstances, without a single remark on any of them, without a word of alleviation. No cases were mentioned where moderate damages had been given to peers of the highest rank for this injury against persons of great fortune.

The next charge of JUNIUS and his party against the noble lord is, 'that he has changed the system of jurisprudence.'—The uncandid party do not recollect that lord Mansfield has had three assistants most eminent for knowledge and integrity. The only *change* we of Westminster Hall either know or have heard of is, that the decisions inform and satisfy the bar: that hitherto no one has been reversed, and, which is a main point to the suitor, and perhaps new, there is *no delay*.—Since lord Mansfield sat there, the business, which flows into that channel, and leaves every other almost dry, is increased beyond belief. I have been assured, that besides all the other business, there are not fewer than *seven* or *eight hundred* causes entered every year at the sittings before his Lordship for London and Middlesex. It is at once unjust and uncandid to take from him all merit, while he goes through the immense fatigue which arises from a high reputation.

As to lord Chatham's cause, the malevolent writer has sat down to invent a lie, without giving himself the trouble to inquire into what passed in public upon that subject. I, as many more of the profession, attended that cause. Lord Mansfield moved the question, which was put to the judges, penned with a view to that point, upon which, it appeared afterwards, he thought the cause depended. Though it had been argued, both above and below, upon another point, the judges considered the point on which it had been argued. They were divided and prepared to give different opinions. Lord Mansfield, apprized of the disagreement among the judges, suggested that point upon which he thought the cause turned, be the other as it might. He proposed to the judges to consider it in that light. The House was adjourned expressly for this purpose; and when the judges came to consider the cause on the point suggested by lord Mansfield, they were unanimous; which terminated the cause, whatever the law might be upon the other point on which it was decided below. The allegation, that lord Mansfield made the decree for the commissioners, bears on its face the marks of a palpable falsehood. It is a mere invention of JUNIUS; never mentioned, never suspected by any other writer: I am convinced, both from the delicacy of the commissioners and that of his Lordship, that not a single word ever passed between them on the subject.

Temple, Oct. 16. A BARRISTER AT LAW.
EDIT.

[1] This subject was agitated in the House of Commons, in the spring of the year 1771, on the motion of Mr Dowdeswell for leave to bring in an enacting bill; which was rejected, for the reasons assigned in the note, p. 248.—EDIT.

of King's Bench proves nothing but the litigious spirit of the people, arising from a great increase of wealth and commerce. These however are now upon the decline, and will soon leave nothing but *law suits* behind them. When JUNIUS affirms that lord Mansfield has laboured to alter the system of jurisprudence, in the court where his Lordship presides, he speaks to those, who are able to look a little further than the vulgar. Besides that the multitude are easily deceived by the imposing names of *equity* and *substantial justice*, it does not follow that a judge, who introduces into his court new modes of proceeding, and new principles of law, intends, *in every instance*, to decide unjustly. Why should he, where he has no interest?—We say that lord Mansfield is a bad *man*, and a worse *judge;* —but we do not say that he is a *mere devil*. Our adversaries would fain reduce us to the difficulty of proving too much.—This artifice however shall not avail him. The truth of the matter is plainly this. When *lord Mansfield* has succeeded in his scheme of changing a court of *common law* to a court of *equity*, he will have it in his power to do injustice *whenever he thinks proper*. This, though a wicked purpose, is neither absurd nor unattainable.

6°. The last paragraph, relative to *lord Chatham's* cause, cannot be answered. It partly refers to facts, of too secret a nature to be ascertained, and partly is unintelligible. 'Upon *one* point, the cause is decided against lord Chatham.—Upon *another* point, it is decided for him.'—Both the *law* and the *language* are well suited to a *Barrister!*—If I have any guess at this honest gentleman's meaning, it is, that, 'whereas the commissioners of the great seal saw the question in a point of view unfavourable to *lord Chatham*, and decreed accordingly,—lord Mansfield, out of sheer love and kindness to lord Chatham, took the pains to place it in a point of view more favourable to the *appellant*.'—*Credat Judæus Apella*.—So curious an assertion would stagger the faith of *Mr Sylva*.

LETTER LXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 2 *November*, 1771.

WE are desired to make the following declaration, in behalf of JUNIUS, upon three material points, on which his opinion has been mistaken, or misrepresented.

1°. JUNIUS considers the right of taxing the colonies, by an act of the British legislature, as a *speculative* right merely, never to be *exerted*, nor ever to be *renounced*. To *his* judgment it appears plain, 'That the general reasonings, which were employed against that power, went directly to our whole legislative right, and that one part of it could not be yielded to such arguments, without a virtual surrender of all the rest.'

2°. That, with regard to press warrants, his argument should be taken in his own words, and answered strictly; that comparisons may sometimes illustrate, but prove nothing; and that, in this case, an appeal to the passions is unfair and unnecessary. JUNIUS feels and acknowledges the evil in the most express terms, and will show himself ready to concur in any rational plan, that may provide for the liberty of the individual, without hazarding the safety of the community. At the same time, he expects that the evil, such as it is, be not exaggerated or misrepresented. In general, it is *not* unjust that, when the rich man contributes his wealth, the *poor* man should serve the state in person;—otherwise the latter contributes nothing to the defence of that law and constitution, from which he demands safety and protection. But the question does not lie between *rich* and *poor*. The laws of England make no such distinctions. Neither is it true that the poor man is torn from the care and support of a wife and family, helpless without him. The single question is, whether the *seaman*,[1]

[1] I confine myself strictly to *seamen*;—if any others are pressed, it is a gross abuse, which the magistrates can and should correct.

in times of public danger, shall serve the merchant or the state, in that profession to which he was bred, and by the exercise of which alone he can honestly support himself and his family.—General arguments against the doctrine of *necessity*, and the dangerous use that may be made of it, are of no weight in this particular case. *Necessity* includes the idea of *inevitable*. Whenever it is so, it creates a law, to which all *positive* laws and all *positive* rights must give way. In this sense the levy of *ship-money* by the king's warrant was not *necessary*, because the business might have been as well or better done by parliament. If the doctrine, maintained by JUNIUS, be confined within this limitation, it will go but very little way in support of arbitrary power. That the king is to judge of the occasion, is no objection, unless we are told how it can possibly be otherwise. There are other instances, not less important in the exercise, nor less dangerous in the abuse, in which the constitution relies entirely upon the king's judgment. The executive power proclaims war and peace, binds the nation by treaties, orders general embargoes, and imposes quarantines, not to mention a multitude of prerogative writs, which, though liable to the greatest abuses, were never disputed.

3°. It has been urged, as a reproach to JUNIUS, that he has not delivered an opinion upon the Game Laws, and particularly the late *Dog Act*. But JUNIUS thinks he has much greater reason to complain, that he is never assisted by those, who are able to assist him,[1] and that almost the whole labour of the press is thrown upon a single hand, from which a discussion of *every* public question whatsoever is unreasonably expected. He is not paid for his labour, and certainly has a right to choose his employment.——As to the *Game Laws*, he never scrupled to declare his opinion, that they are a species of the *Forest Laws*, that they are oppressive to the subject, and that the spirit of them is incompatible with legal liberty :—that the penalties, imposed by these laws, bear no proportion to the nature of the offence ; that the mode of trial, and the degree and kind of evidence necessary to convict, not only deprive the subject of all the benefits of a trial by jury, but are in themselves too summary, and to the last degree arbitrary and oppressive. That, in particular, the late acts to prevent dog-stealing, or killing game between sun and sun, are distinguished by their absurdity, extravagance, and pernicious tendency. If these terms are weak, or ambiguous, in what language can JUNIUS express himself? —It is no excuse for *lord Mansfield* to say that he *happened* to be absent when these bills passed the House of Lords. It was his duty to be present. Such bills could never have passed the House of Commons without his knowledge. But we very well know by what rule he regulates his attendance. When that order was made in the House of Lords in the case of *lord Pomfret*,[2] at which every Englishman shudders, my honest *lord Mansfield* found himself, *by mere accident*, in the Court of King's Bench.—Otherwise, he would have done wonders in defence of law and property! The pitiful evasion is adapted to the character. But JUNIUS will never justify himself by the example of this bad man. The distinction between *doing wrong* and *avoiding to do right* belongs to lord Mansfield. JUNIUS disclaims it.

[1] In Private Letter, No. 66, addressed to Mr Wilkes, JUNIUS complains of his want of 'support in the newspapers.'—EDIT.

[2] A case brought by lord Pomfret before the House, from one of the inferior courts, in reference to a tract of ground, claimed by the parish in which he resided, as common land, but maintained by his Lordship to be a part of his own freehold.—EDIT.

LETTER LXV.

TO LORD CHIEF JUSTICE MANSFIELD.

2 November, 1771.

AT the intercession of three of your countrymen, you have bailed a man, who, I presume, is also a *Scotchman*, and

whom the lord mayor of London had refused to bail.[1] I do not mean to enter into an examination of the partial, sinister motives of your conduct; but confining myself strictly to the fact, I affirm, that you have done that, which by law you were not warranted to do. The thief was taken in the theft;—the stolen goods were found upon him, and he made no defence. In these circumstances (the truth of which you dare not deny, because it is of public notoriety), it could not stand indifferent whether he was guilty or not, much less could there be any presumption of his innocence; and, in these circumstances, I affirm, in contradiction to YOU, LORD CHIEF JUSTICE MANSFIELD, that, by the laws of England, he was *not bailable*. If ever *Mr Eyre* should be brought to trial,[2] we shall hear what you have to say for yourself; and I pledge myself, before God and my country, in proper time and place to make good my charge against you.

JUNIUS.

LETTER LXVI.

FOR THE PUBLIC ADVERTISER.

9 *November*, 1771.

JUNIUS engages to make good his charge against *lord chief justice Mansfield*, some time before the meeting of parliament, in order that the House of Commons may, if they think proper, make it one article in the impeachment of the said *lord chief justice*.

LETTER LXVII.

TO HIS GRACE THE DUKE OF GRAFTON.[3]

28 *November*, 1771.

WHAT is the reason, my Lord, that, when almost every man in the kingdom, without distinction of principles or party, exults in the ridiculous defeat of Sir James Lowther,[4] when good and bad men unite in one common opinion of that ba-

[1] In explanation of this assertion, the editor extracts the following paragraph from the Public Advertiser, Oct. 20, 1771.

'Yesterday application was made to the lord mayor, by the friends of John Eyre, Esq., committed on the oaths of Thomas Fielding, William Holder, William Payne, and William Nash, for feloniously stealing eleven quires of writing-paper. The circumstances were so strong against the prisoner, on whom the goods were found, and no defence whatever being set up by him before the magistrate who made the commitment, that the lord mayor refused to bail him. The alderman who committed him, had before refused to bail him, as it was alleged that no instance whatever had been known of a person being bailed under such circumstances. Mr Eyre was however bailed yesterday by lord Mansfield, himself in only £300 and three Scottish securities in £100 each, a Kinloch, Farquar, and Innis. *Eyre has since made his escape.*'—EDIT.

[2] The facts of the case were as follow: On the 2nd of Oct. 1771, Eyre was committed to Wood-street Compter, by Mr Alderman Halifax, for privately stealing out of a room at Guildhall three quires of writing-paper, which were found upon him; on searching his lodgings, there were discovered, in a box, eight quires more of the same sort of paper, which had been marked privately for the discovery of the thief. Eyre had attended at the justice-room for a considerable time under the pretence of learning the business of a magistrate, to which situation, he said, he shortly expected to be appointed. On the day preceding the date of this letter, he surrendered himself at the Old Bailey to take his trial for stealing the paper, to which charge he pleaded guilty, and threw himself on the mercy of the court. He was sentenced to be transported. This sordid wretch was asserted, at the time of committing so miserable a theft, to be worth at least thirty thousand pounds.—EDIT.

[3] This letter, as the author declares in Private Letter, No. 44, was written in consequence of a communication from Garrick to Ramus, and from the latter to the king, that JUNIUS would write no more; and hence the questions in the concluding paragraph. The words of the author are, 'David Garrick has literally forced me to break my resolution of writing no more,' for the subsequent letter addressed to lord Mansfield was completed some time previous to the date of this Letter, as may be seen in Private Letter, No. 40, where, and in that which follows it, will be found an explanation of the curious circumstance of the communication to the king, the author's early knowledge of the fact, and a copy of the very severe letter which he sent to Mr Garrick, in consequence of the information which he had given to Mr Ramus.—EDIT.

[4] He refers to the case of Lowther against the duke of Portland, in the contest concerning Inglewood Forest, &c. in Cumberland. See the detail and determination of the dispute (which last had now just taken place) in note, p. 300.—EDIT.

ronet, and triumph in his distress, as if the event (without any reference to vice or virtue) were interesting to human nature, your Grace alone should appear so miserably depressed and afflicted? In such universal joy, I know not where you will look for a compliment of condolence, unless you appeal to the tender, sympathetic sorrows of Mr Bradshaw. That cream-coloured gentleman's tears,[1] affecting as they are, carry consolation along with them. He never weeps, but, like an April shower, with a lambent ray of sunshine upon his countenance. From the feelings of honest men, upon this joyful occasion, I do not mean to draw any conclusion to your Grace. *They* naturally rejoice, when they see a signal instance of tyranny resisted with success;—of treachery exposed to the derision of the world;—an infamous informer defeated, and an impudent robber dragged to the public gibbet.—But, in the *other* class of mankind, I own I expected to meet the duke of Grafton. Men, who have no regard for justice, nor any sense of honour, seem as heartily pleased with sir James Lowther's well-deserved punishment, as if it did not constitute an example against themselves. The unhappy baronet has no friends, even among those who resemble him. You, my Lord, are not yet reduced to so deplorable a state of derelic-

tion. Every villain in the kingdom is your friend; and, in compliment to such amity, I think you should suffer your dismal countenance to clear up. Besides, my Lord, I am a little anxious for the consistency of your character. You violate your own rules of decorum, when you do not insult the man whom you have betrayed.

The divine justice of retribution seems now to have begun its progress. Deliberate treachery entails punishment upon the traitor. There is no possibility of escaping it, even in the highest rank to which the consent of society can exalt the meanest and worst of men. The forced, unnatural union of Luttrell and Middlesex was an omen of another unnatural union, by which indefeasible infamy is attached to the House of Brunswick. If one of those acts was virtuous and honourable, the best of princes, I thank God, is happily rewarded for it by the other.—Your Grace, *it has been said*, had some share in recommending colonel Luttrell to the king;—or was it only the gentle Bradshaw, who made himself answerable for the good behaviour of his friend? An intimate connexion has long subsisted between him and the worthy lord Irnham. It arose from a fortunate similarity of principles, cemented by the constant mediation of their common friend Miss Davis.[2]

[1] See Miscellaneous Letter LXXI.—EDIT.

[2] There is a certain family in this country, on which nature seems to have entailed an hereditary baseness of disposition. As far as their history has been known, the son has regularly improved upon the vices of his father, and has taken care to transmit them pure and undiminished into the bosom of his successor. In the senate, their abilities have confined them to those humble, sordid services, in which the scavengers of the ministry are usually employed. But in the memoirs of private treachery, they stand first and unrivalled. The following story will serve to illustrate the character of this respectable family, and to convince the world that the present possessor has as clear a title to the infamy of his ancestors, as he has to their estate. It deserves to be recorded for the curiosity of the fact, and should be given to the public as a warning to every honest member of society.

The present lord Irnham, who is now in the decline of life, lately cultivated the acquaintance of a younger brother of a family, with which he had lived in some degree of intimacy and friendship. The young man had long been the dupe of a most unhappy attachment to a common prostitute. His friends and relations foresaw the consequences of this connexion, and did every thing that depended upon them to save him from ruin. But he had a friend in lord Irnham, whose advice rendered all their endeavours ineffectual. This hoary letcher, not contented with the enjoyment of his friend's mistress, [the notorious Polly Davis, mentioned in the letter above,] was base enough to take advantage of the passions and folly of a young man, and persuaded him to marry her. He descended even to perform the office of father to the prostitute. He gave her to his friend, who was on the point of leaving the kingdom, and the next night lay with her himself.

Whether the depravity of the human heart can produce anything more base and detestable than this fact, must be left undetermined, until the son shall arrive at his father's age and experience.—AUTHOR.

Yet I confess I should be sorry that the opprobrious infamy of this match should reach beyond the family.—We have now a better reason than ever to pray for the long life of the best of princes, and the welfare of his royal *issue*.—I will not mix anything ominous with my prayers;—but let parliament look to it.—A *Luttrell* shall never succeed to the crown of England.[1]—If the hereditary virtues of the family deserve a kingdom, Scotland will be a proper retreat for them.

The next is a most remarkable instance of the goodness of Providence. The just law of retaliation has at last overtaken the little, contemptible tyrant of the North. To this son-in-law of your dearest friend the earl of Bute, you meant to transfer the duke of Portland's property;[2] and you hastened the grant, with an expedition unknown to the Treasury, that he might have it time enough to give a decisive turn to the election for the county. The immediate consequence of this flagitious robbery was that he lost the election, which you meant to insure to him, and with such signal circumstances of scorn, reproach, and insult (to say nothing of the general exultation of all parties), as (excepting the king's brother-in-law colonel Luttrell,[3] and old *Simon* his father-in-law) hardly ever fell upon a gentleman in this country.—In the event, he loses the very property of which he thought he had gotten possession; and after an expense, which would have paid the value of the land in question twenty times over.—The forms of villany, you see, are necessary to its success. Hereafter you will act with greater circumspection, and not drive so directly to your object. To *snatch a grace*, beyond the reach of common treachery, is an exception, not a rule.

And now, my good Lord, does not your conscious heart inform you, that the justice of retribution begins to operate, and that it may soon approach your person?—Do you think that JUNIUS has renounced the Middlesex election?—Or that the king's timber shall be refused to the royal navy with impunity?[4]—Or that you shall hear no more of the sale of that patent to *Mr Hine*, which you endeavoured to skreen by suddenly dropping your prosecution of *Samuel Vaughan*,[5] when the rule against him was made absolute? I believe indeed there never was such an instance in all the history of negative impudence.—But it shall not save you. The very sunshine you live in is a prelude to your dissolution. When you are ripe, you shall be plucked.

JUNIUS.

P. S. I beg you will convey to our gracious master my humble congratulations upon the glorious success of peerages and pensions, so lavishly distributed as the rewards of Irish virtue.

LETTER LXVIII.[6]

TO LORD CHIEF JUSTICE MANSFIELD.

21 *January*, 1772.

I HAVE undertaken to prove that when, at the intercession of three of your countrymen, you bailed *John Eyre*, you did that, *which by law you were not warranted to do*, and that a felon, under the circumstances *of being taken in the fact, with the stolen goods upon him, and making*

This note appeared in the Public Advertiser, April 7, 1769, under the signature of *Recens*.—EDIT.

[1] The duke of Cumberland was now married to Mrs Horton, colonel Luttrell's sister. See Miscellaneous Letter, No. CII.—EDIT.

[2] See note, p. 300.—EDIT.

[3] See Miscellaneous Letter, No. CII. Our author thus denominates his Majesty; because, by the marriage of Luttrell's sister, Mrs Horton, with the duke of Cumberland, Luttrell was legally become brother-in-law to the king's brother; as was Luttrell's father, father-in-law to him.—EDIT.

[4] See note, p. 303.—EDIT.

[5] See Letter XXXIII., and Private Letter, No. 15, for the particulars of the transaction here alluded to.—EDIT.

[6] The author, speaking of this Letter, says, 'The paper itself is, in *my* opinion, of the highest style of JUNIUS, and cannot fail to sell.' Private Letter, No. 49.—EDIT.

no defence, is *not bailable* by the laws of England. Your learned advocates have interpreted this charge into a denial that the Court of King's Bench, or the judges of that court during the vacation, have any greater authority to bail for criminal offences, than a justice of peace. With the instance before me, I am supposed to question your power of doing wrong, and to deny the existence of a power, at the same moment that I arraign the illegal exercise of it. But the opinions of such men, whether wilful in their malignity, or sincere in their ignorance, are unworthy of my notice. You, lord Mansfield, did not understand me so, and I promise you, your cause requires an abler defence.—I am now to make good my charge against you. However dull my argument, the subject of it is interesting. I shall be honoured with the attention of the public, and have a right to demand the attention of the legislature. Supported, as I am, by the whole body of the criminal law of England, I have no doubt of establishing my charge. If, on your part, you should have no plain, substantial defence, but should endeavour to shelter yourself under the quirk and evasion of a practising lawyer, or under the mere insulting assertion of power without right, the reputation you pretend to is gone for ever ;—you stand degraded from the respect and authority of your office, and are no longer, *de jure*, Lord Chief Justice of England. This letter, my Lord, is addressed, not so much to *you*, as to the public. Learned as you are, and quick in apprehension, few arguments are necessary to satisfy you that you have done that, which by law you were not warranted to do. Your conscience already tells you, that you have sinned against knowledge, and that whatever defence you make contradicts your own internal conviction. But other men are willing enough to take the law upon trust. They rely upon authority, because they are too indolent to search for information ; or, conceiving that there is some mystery in the laws of their country, which lawyers are only qualified to explain, they distrust their judgment, and voluntarily renounce the right of thinking for themselves. With all the evidence of history before them, from *Tresillian* to *Jefferies*, from *Jefferies* to *Mansfield*, they will not believe it possible that a learned judge can act in direct contradiction to those laws, which he is supposed to have made the study of his life, and which he has sworn to administer faithfully. Superstition is certainly not the characteristic of this age. Yet some men are bigoted in politics who are infidels in religion.—I do not despair of making them ashamed of their credulity.

The charge I brought against you is expressed in terms guarded and well considered. They do not deny the strict power of the judges of the Court of King's Bench to bail in cases not bailable by a justice of peace, nor replevisable by the common writ, or *ex officio* by the sheriff. I well knew the practice of the court, and by what legal rules it ought to be directed. But far from meaning to soften or diminish the force of those terms I have made use of, I now go beyond them, and affirm,

I. That the superior power of bailing for felony, claimed by the Court of King's Bench, is founded upon the opinion of lawyers, and the practice of the court ;—that the assent of the legislature to this power is merely negative, and that it is not supported by any positive provision in any statute whatsoever.—If it be, produce the statute.

II. Admitting that the judges of the Court of King's Bench are vested with a discretionary power to examine and judge of circumstances and allegations, which a justice of peace is not permitted to consider, I affirm, that the judges, in the use and application of that discretionary power, are as strictly bound by the spirit, intent, and meaning, as the justice of peace is by the words of the legislature. Favourable circumstances, alleged before the judge, may justify a doubt whether the prisoner be guilty or not ; and where the guilt is doubtful, a presumption of innocence should, in

general, be admitted. But, when any such probable circumstances are alleged, they alter the state and condition of the prisoner. *He* is no longer that *all-but-convicted* felon, whom the law intends, and who by law is *not bailable at all.* If no circumstances whatsoever are alleged in his favour ;—if no allegation whatsoever be made to lessen the force of that evidence, which the law annexes to a positive charge of felony, and particularly to the fact of *being taken with the maner*, I then say that the lord chief justice of England has no more right to bail him than a justice of peace. The discretion of an English judge is not of mere will and pleasure ; it is not arbitrary ;—it is not capricious ; but, as that great lawyer (whose authority I wish you respected half as much as I do) truly says,[1] 'Discretion, taken as it ought to be, is *discernere per legem quid sit justum.* If it be not directed by the right line of the law, it is a crooked cord, and appeareth to be unlawful.'—If discretion were arbitrary in the judge, he might introduce whatever novelties he thought proper ; but, says lord Coke, 'Novelties, without warrant of precedents, are not to be allowed ; some certain rules are to be followed ;—*Quicquid judicis authoritati subjicitur, novitati non subjicitur ;*' and this sound doctrine is applied to the Star-chamber, a court confessedly arbitrary. If you will abide by the authority of this great man, you shall have all the advantage of his opinion, wherever it appears to favour you. Excepting the plain, express meaning of the legislature, to which all private opinions must give way, I desire no better judge between us than lord Coke.

III. I affirm, that according to the obvious, indisputable meaning of the legislature, repeatedly expressed, a person positively charged with *feloniously stealing*, and taken *in flagrante delicto*, with the stolen goods upon him, *is not bailable.* The law considers him as differing in nothing from a *convict*, but in the form of conviction, and (whatever a corrupt judge may do) will accept of no security, but the confinement of his body within four walls. I know it has been alleged in your favour, that you have often bailed for murders, rapes, and other manifest crimes. Without questioning the fact, I shall not admit that you are to be justified by your own example. If that were a protection to you, where is the crime that, as a judge, you might not now securely commit? But neither shall I suffer myself to be drawn aside from my present argument, nor *you* to profit by your own wrong. To prove the meaning and intent of the legislature will require a minute and tedious deduction. To investigate a question of law demands some labour and attention, though very little genius or sagacity. As a *practical profession*, the study of the law requires but a moderate portion of abilities. The learning of a pleader is usually upon a level with his integrity. The indiscriminate defence of right and wrong contracts the understanding, while it corrupts the heart. Subtlety is soon mistaken for wisdom, and impunity for virtue. If there be any instances upon record, as some there are undoubtedly, of genius and morality united in a lawyer, they are distinguished by their singularity, and operate as exceptions.

I must solicit the patience of my readers. This is no light matter, nor is it any more susceptible of ornament, than the conduct of lord Mansfield is capable of aggravation.

As the law of bail, in charges of felony, has been exactly ascertained by acts of the legislature, it is at present of little consequence to enquire how it stood at common law, before the statute of Westminster. And yet it is worth the reader's attention to observe, how nearly, in the ideas of our ancestors, the circumstance of being taken *with the maner* approached to the conviction of the felon. It "fixed the authoritative stamp of verisimilitude upon the accusation, and by the common law, when a thief was taken *with the maner* (that is, with the thing stolen upon him, *in manu*) he might, so detected, *flagrante delicto*, be

[1] 4 *Inst.* 41, 66.

brought into court, arraigned and tried, *without indictment;* as, by the Danish law, he might be taken and hanged upon the spot, without accusation or trial.'[1] It will soon appear that our statute law, in this behalf, though less summary in point of proceeding, is directed by the same spirit. In one instance, the very form is adhered to. In offences relating to the forest, if a man was taken with *vert*, or venison, it was declared to be equivalent to an indictment.[2] To enable the reader to judge for himself, I shall state, in due order, the several statutes relative to bail in criminal cases, or as much of them as may be material to the point in question, omitting superfluous words. If I misrepresent, or do not quote with fidelity, it will not be difficult to detect me.

The statute of Westminster the first,[3] in 1275, sets forth that, 'Forasmuch as sheriffs and others, who have taken and kept in prison persons detected of felony, and incontinent have let out by replevin such as were *not replevisable*, because they would gain of the one party and grieve the other; and, forasmuch as, before this time, it was not determined which persons were replevisable and which not, it is provided, and by the king commanded, that such prisoners, &c. as be *taken with the maner*, &c. or for *manifest* offences, shall be *in no wise* replevisable by the common writ, nor without writ.'[4]—Lord Coke, in his exposition of the last part of this quotation, accurately distinguishes between *replevy* by the common writ or *ex officio*, and *bail* by the King's Bench. The words of the statute certainly do not extend to the judges of that court. But, besides that the reader will soon find reason to think that the legislature, in their intention, made no difference between *bailable* and *replevisable*, lord Coke himself (if he be understood to mean nothing but an exposition of the statute of Westminster, and not to state the law generally) does not adhere to his own distinction. In expounding the other offences, which, by this statute, are declared *not replevisable*, he constantly uses the words *not bailable*.—'That outlaws, for instance, *are not bailable at all;*—that persons who have abjured the realm, are attainted upon their own confession, and therefore *not bailable at all by law;*—that provers are *not bailable;*—that notorious felons are *not bailable*.' The reason why the superior courts were not named in the statute of Westminster, was plainly this, 'because anciently most of the business, touching bailment of prisoners for felony or misdemeanours, was performed by the sheriffs, or special bailiffs of liberties, either by writ, or *virtute officii;*[5] consequently the superior courts had little or no opportunity to commit those abuses, which the statute imputes to the sheriffs.—With submission to Doctor Blackstone, I think he has fallen into a contradiction, which, in terms at least, appears irreconcileable. After enumerating several offences not bailable, he asserts, without any condition or limitation whatsoever, 'all which are clearly not admissible to bail.'[6] Yet in a few lines after he says, '*it is agreed* that the Court of King's Bench may bail for any crime whatsoever, *according to the circumstance of* the case.' To his first proposition he should have added, *by sheriffs* or *justices;* otherwise the two propositions contradict each other; with this difference however, that the first is absolute, the second limited by *a consideration of circumstances*. I say this without the least intended disrespect to the learned author. His work is of public utility, and should not hastily be condemned.

[1] *Blackstone*, 4, 303.

[2] 1 *Ed.* III. *cap.* 8.—and 7 *Rich.* II. *cap.* 4.

[3] '*Videtur que le statute de mainprise nest que rehersall del comen ley.*' Bro. Mainp. 61.

[4] 'There are three points to be considered in the construction of all remedial statutes:—the old law, the mischief, and the remedy;—that is, how the common law stood at the making of the act, what the mischief was for which the common law did not provide, and what remedy the parliament hath provided to cure this mischief. It is the business of the judges so to construe the act, as to suppress the mischief and advance the remedy.' *Blackstone*, 1, 87.

[5] 2 *Hale*, P. C. 128, 136. [6] *Blackstone*, 4, 299

The statute of 17 *Richard* II. *cap.* 10, in 1393, sets forth, that 'forasmuch as thieves notoriously defamed, *and others taken with the maner*, by their long abiding in prison, were delivered by charters, and favourable inquests procured, to the great hinderance of the people, two men of law shall be assigned, in every commission of the peace, to proceed to the deliverance of such felons,' &c. It seems, by this act, that there was a constant struggle between the legislature and the officers of justice. Not daring to admit felons *taken with the maner* to bail or mainprize, they evaded the law by keeping the party in prison a long time, and then delivering him without due trial.

The statute of 1 *Richard* III., in 1483, sets forth, that 'forasmuch as divers persons have been daily arrested and imprisoned for *suspicion* of felony, sometime of malice, and sometime of *a light suspicion*, and so kept in prison without bail or mainprize, be it ordained that every justice of peace shall have authority, by his discretion, to let such prisoners and persons so arrested to bail or mainprize.'—By this act it appears that there had been abuses in matter of imprisonment, and that the legislature meant to provide for the immediate enlargement of persons arrested on *light suspicion* of felony.

The statute of 3 *Henry* VII., in 1486, declares, that 'under colour of the preceding act of Richard the Third, persons, *such as were not mainpernable*, were oftentimes let to bail or mainprize, by justices of the peace, whereby many murderers and felons escaped, the king, &c. hath ordained, that the justices of the peace, or two of them at the least (whereof one to be of the *quorum*), have authority to let any such prisoners or persons, mainpernable by the law, to bail or mainprize.'

The statute of 1st and 2nd of Philip and Mary, in 1554, sets forth, that 'notwithstanding the preceding statute of Henry the Seventh, *one* justice of peace hath oftentimes, by sinister labour and means, set at large the greatest and notablest offenders, *such as be not replevisable by the laws of this realm;* and yet, the rather to hide their affections in that behalf, have signed the cause of their apprehension to be but only for *suspicion* of felony, whereby the said offenders have escaped unpunished, and do daily, to the high displeasure of Almighty God, the great peril of the king and queen's true subjects, and encouragement of all thieves and evil-doers;—for reformation whereof be it enacted, that no justices of peace shall let to bail or mainprize any such persons, which, for any offence by them committed, be declared *not* to be *replevised* or *bailed*, or be forbidden to be *replevised* or *bailed* by the statute of Westminster the first; and furthermore that any persons, arrested for manslaughter or felony, *being bailable by the law*, shall not be let to bail or mainprize, by any justices of peace, but in the form thereinafter prescribed.'—In the two preceding statutes, the words *bailable*, *replevisable*, and *mainpernable* are used synonymously,[1] or promiscuously to express the same single intention of the legislature, viz. *not to accept of any security but the body of the offender;* and when the latter statute prescribes the form, in which persons arrested on *suspicion* of felony (*being bailable by the law*) may be let to bail, it evidently supposes that there are some cases, *not* bailable by the law.—It may be thought, perhaps, that I attribute to the legislature an appearance of inaccuracy in the use of terms, merely to serve my present purpose. But, in truth, it would make more forcibly for my argument to presume that the legislature were constantly aware of the strict legal distinction between *bail* and *replevy*, and that they always meant to adhere to it.[2] For if it be true that *replevy* is by the sheriffs, and *bail* by the higher courts at Westminster (which I think no lawyer will deny), it follows, that when the legislature expressly say, that any

[1] 2 *Hale*, P. C. 2, 124.

[2] *Vide* 2 Inst. 150, 186.—'The word *replevisable* never signifies *bailable*. *Bailable* is in a court of record by the king's justices; but *replevisable* is by the sheriff.'

Selden, State Tr. 7, 149.

particular offence is by law *not bailable*, the superior courts are comprehended in the prohibition, and bound by it. Otherwise, unless there was a positive exception of the superior courts (which I affirm there never was in any statute relative to bail) the legislature would grossly contradict themselves, and the manifest intention of the law be evaded. It is an established rule that, when the law is *special*, and the reason of it general, it is to be *generally* understood; and though, by custom, a latitude be allowed to the Court of King's Bench (to consider circumstances inductive of a doubt whether the prisoner be guilty or innocent), if this latitude be taken as an arbitrary power to bail, when no circumstances whatsoever are alleged in favour of the prisoner, it is a power without right, and a daring violation of the whole English law of bail.

The act of the 31st of Charles the Second (commonly called the *Habeas Corpus Act*) particularly declares, that it is not meant to extend to treason or felony plainly and specially expressed in the warrant of commitment. The prisoner is therefore left to seek his *Habeas Corpus* at common law; and so far was the legislature from supposing that persons (committed for treason or felony plainly and specially expressed in the warrant of commitment) could be let to bail by a single judge, or by the whole court, that this very act provides a remedy for such persons, in case they are not indicted in the course of the term or session subsequent to their commitment. The law neither suffers them to be enlarged before trial, nor to be imprisoned after the time in which they ought regularly to be tried. In this case the law says, 'It shall and may be lawful to and for the judges of the Court of King's Bench and justices of oyer and terminer, or general gaol delivery, and they are hereby required, upon motion to them made in open court, the last day of the term, session, or gaol delivery, either by the prisoner or any one in his behalf, to set at liberty the prisoner upon bail; unless it appear to the judges and justices, upon oath made, that the witnesses for the king could not be produced the same term, sessions, or gaol delivery.'—Upon the whole of this article I observe,

1°. That the provision, made in the first part of it, would be, in a great measure, useless and nugatory, if any single judge might have bailed the prisoner *ex arbitrio*, during the vacation; or if the court might have bailed him immediately after the commencement of the term or sessions.—2°. When the law says, *It shall and may be lawful* to bail for felony under particular circumstances, we must presume that, before the passing of that act, it was *not* lawful to bail under those circumstances. The terms used by the legislature are *enacting*, not *declaratory*.—3°. Notwithstanding the party may have been imprisoned during the greatest part of the vacation, and during the whole session, the court are expressly forbidden to bail him from that session to the next, if oath be made that the witnesses for the king could not be produced that same term or sessions.

Having faithfully stated the several acts of parliament relative to bail in criminal cases, it may be useful to the reader to take a short, historical review of the law of bail, through its various gradations and improvements.

By the ancient common law, before and since the conquest, all felonies were bailable, till murder was excepted by statute, so that persons might be admitted to bail, before conviction, almost in every case. The statute of Westminster says that, before that time, it had not been determined, which offences were replevisable, and which were not, whether by the common writ *de homine replegiando*, or *ex officio* by the sheriff. It is very remarkable that the abuses arising from this unlimited power of replevy, dreadful as they were, and destructive to the peace of society, were not corrected or taken notice of by the legislature, until the Commons of the kingdom had obtained a share in it by their representatives; but the House of Commons had scarce begun to exist, when these

formidable abuses were corrected by the statute of Westminster. It is highly probable that the mischief had been severely felt by the people, although no remedy had been provided for it by the Norman kings or barons. 'The iniquity of the times was so great, as it even forced the subjects to forego that, which was in account a great liberty, to stop the course of a growing mischief.'[1] The preamble to the statutes, made by the first parliament of Edward the First, assigns the reason of calling it, 'because the people had been otherwise entreated than they ought to be, the peace less kept, the laws less used, and *offenders less punished* than they ought to be, by reason whereof the people feared less to offend;'[2] and the first attempt to reform these various abuses was by contracting the power of replevying felons.

For above two centuries following it does not appear that any alteration was made in the law of bail, except that *being taken with vert* or *venison* was declared to be equivalent to indictment. The legislature adhered firmly to the spirit of the statute of Westminster. The statute of 27th of Edward the First directs the justices of assize to enquire and punish officers bailing such as were *not bailable*. As for the judges of the superior courts, it is probable that, in those days, they thought themselves bound by the obvious intent and meaning of the legislature. They considered not so much to what particular persons the prohibition was addressed, as what the *thing* was, which the legislature meant to prohibit, well knowing that in law, *quando aliquid prohibetur, prohibetur et omne, per quod devenitur ad illud*. 'When any thing is forbidden, all the means, by which the same thing may be compassed or done, are equally forbidden.'

By the statute of Richard the Third, the power of bailing was a little enlarged. Every justice of peace was authorized to bail for felony; but they were expressly confined to persons arrested *on light suspicion;* and even this power, so limited, was found to produce such inconveniences that, in three years after, the legislature found it necessary to repeal it. Instead of trusting any longer to a single justice of peace, the act of 3rd Henry VIIth repeals the preceding act, and directs 'that no prisoner (*of those who are mainpernable by the law*) shall be let to bail or mainprize, by less than *two* justices, whereof one to be of the quorum.' And so indispensably necessary was this provision thought, for the administration of justice, and for the security and peace of society, that, at this time, an oath was proposed by the king to be taken by the knights and esquires of his household, by the members of the House of Commons, and by the peers spiritual and temporal, and accepted and sworn to *quasi unâ voce* by them all, which, among other engagements, binds them 'not to let any man to bail or mainprize, knowing and deeming him to be a felon, upon your honour and worship. So help you God and all saints.'[3]

In about half a century however even these provisions were found insufficient. The act of Henry the Seventh was evaded, and the legislature once more obliged to interpose. The act of 1st and 2nd of Philip and Mary takes away entirely from the justices all power of bailing for offences declared *not bailable* by the statute of Westminster.

The illegal imprisonment of several persons, who had refused to contribute to a loan exacted by Charles the First, and the delay of the *Habeas Corpus* and subsequent refusal to bail them, constituted one of the first and most important grievances of that reign. Yet when the House of Commons, which met in the year 1628, resolved upon measures of the most firm and strenuous resistance to the power of imprisonment assumed by the king or privy council, and to the refusal to bail the party on the return of the *Habeas Corpus*, they did expressly, in all their resolutions, make an exception of commitments, where the cause

[1] *Selden*, by *N. Bacon*, 182.
[2] Parliamentary History, 1. 32.
[3] Parliamentary History, 2. 419.

of the restraint was expressed, and did by law justify the commitment. The reason of the distinction is, that, whereas when the cause of commitment is expressed, the crime is then known, and the offender must be brought to the ordinary trial; if, on the contrary, no cause of commitment be expressed, and the prisoner be thereupon remanded, it may operate to perpetual imprisonment. This contest with Charles the First produced the act of the 16th of that king, by which the Court of King's Bench are directed, within three days after the return to the *Habeas Corpus*, to examine and determine the legality of any commitment by the king or privy council, and to do *what to justice shall appertain* in delivering, bailing, or *remanding* the prisoner. —*Now*, it seems, it is unnecessary for the judge to do what appertains to justice. The same scandalous traffic, in which we have seen the privilege of parliament exerted or relaxed, to gratify the present humour, or to serve the immediate purpose of the crown, is introduced into the administration of justice. The magistrate, it seems, has now no rule to follow, but the dictates of personal enmity, national partiality, or perhaps the most prostituted corruption.

To complete this historical inquiry, it only remains to be observed that the *Habeas Corpus* Act of 31st of Charles the Second, so justly considered as another Magna Charta of the kingdom, 'extends only to the case of commitments for such criminal charge, as can produce no inconvenience to public justice by a temporary enlargement of the prisoner.' [1]—So careful were the legislature, at the very moment when they were providing for the liberty of the subject, not to furnish any colour or pretence for violating or evading the established law of bail in the higher criminal offences. But the exception, stated in the body of the act, puts the matter out of all doubt. After directing the judges how they are to proceed to the discharge of the prisoner upon recognizance and surety, having regard to the quality of the prisoner and nature of the offence, it is expressly added, 'unless it shall appear to the said lord chancellor, &c. that the party, so committed, is detained for such matters, or offences, for the which BY THE LAW THE PRISONER IS NOT BAILABLE.'

When the laws, plain of themselves, are thus illustrated by facts, and their uniform meaning established by history, we do not want the authority of opinions, however respectable, to inform our judgment, or to confirm our belief. But I am determined that you shall have no escape. Authority of every sort shall be produced against you, from *Jacob* to *lord Coke*, from the dictionary to the classic.—In vain shall you appeal from those upright judges whom you disdain to imitate, to those whom you have made your example. With one voice, they all condemn you.

'To be taken with the *maner* is where a thief, having stolen any thing, is taken with the same about him, as it were in his hands, which is called *flagrante delicto*. Such a criminal is *not bailable by law*.'—*Jacob under the word Maner*.

'Those who are taken with the *maner*, are excluded, by the statute of Westminster, from the benefit of a replevin.'—*Hawkins, P.C.* 2. 98.

'Of such heinous offences no one, who is notoriously guilty, seems to be *bailable* by the intent of this statute.'—*D°*. 2. 99.

'The common practice, and allowed general rule is, that bail is only then proper, where it stands *indifferent* whether the party were guilty or innocent.'—*D°*. *D°*.

'There is no doubt but that the bailing of a person *who is not bailable by law*, is punishable either at common law as a negligent escape, or as an offence against the several statutes relative to bail.'—*D°*. 89.

'It cannot be doubted but that, neither the judges of this, nor of any other superior court of justice, are strictly within the purview of that statute, yet they will always, in their discretion, pay a due regard to it, and not admit a person to bail, who is expressly declared by it irreplevisable, *without*

[1] Blackstone, 4. 137.

some particular circumstance in his favour; and therefore it seems difficult to find an instance, where persons, attainted of felony, or notoriously guilty of treason or manslaughter, &c., by their own confession, or *otherwise*, have been admitted to the benefit of bail, without some special motive to the court to grant it.'—*D°*. 114.

'If it appears that any man hath injury or wrong by his imprisonment, we have power to deliver and discharge him;—if otherwise, *he is to be remanded* by us to prison again.'—*Lord Ch. J. Hyde. State Trials*, 7. 115.

'The statute of Westminster was especially for direction to the sheriffs and others, but to say courts of justice are excluded from this statute, I conceive it cannot be.'—*Attorney-General Heath, D°*. 132.

'The court, upon view of the return, judgeth of the sufficiency or insufficiency of it. If they think the prisoner *in law* to be *bailable*, he is committed to the marshal and bailed; if not, he is remanded.'—Through that whole debate the objection, on the part of the prisoners, was, that no cause of commitment was expressed in the warrant; but it was uniformly admitted by their counsel that, if the cause of commitment had been expressed for treason or felony, the court would then have done right in remanding them.

The attorney-general having urged, before a committee of both Houses, that, in Beckwith's case and others, the lords of the council sent a letter to the Court of King's Bench to bail; it was replied by the managers for the House of Commons, that this was of no moment, 'for that either the prisoner was *bailable by the law*, or *not bailable;*—if bailable by the law, then he was to be bailed without any such letter;—if not bailable by the law, then plainly the judges could not have bailed him upon the letter, without breach of their oath, which is, *that they are to do justice according to the law, &c.*'—*State Trials*, 7. 175.

'So that, in bailing upon such offences of the highest nature, a kind of discretion, rather than a constant law, hath been exercised, when it stands *wholly indifferent* in the eye of the Court, whether the prisoner be guilty or not.'—*Selden. State Trials*, 7. 230. 1.

'I deny that a man is always bailable, when imprisonment is imposed upon him for custody.'—*Attorney-General Heath, D°*. 238.—By these quotations from the State Trials, though otherwise not of authority, it appears plainly that, in regard to *bailable* or *not bailable*, all parties agreed in admitting one proposition as incontrovertible.

'In relation to capital offences there are especially these acts of parliament that are the common *landmarks* [1] touching offences bailable or not bailable.'—*Hale*, 2. *P. C.* 127. The enumeration includes the several acts cited in this paper.

'Persons taken with the *manouvre* are not bailable, because it is *furtum manifestum*.'—*Hale* 2. *P. C.* 133.

'The writ of *Habeas Corpus* is of a high nature; for if persons be wrongfully committed, they are to be discharged upon this writ returned; or, if bailable, they are to be bailed;—*if not bailable, they are to be committed*.'—*Hale*, 2. *P. C.* 143. This doctrine of lord chief justice Hale refers immediately to the superior court from whence the writ issues.—'After the return is filed, the court is either to discharge, or bail, or *commit* him, as the nature of the cause requires.'—*Hale*, 2. *P. C.* 146.

'If bail be granted, *otherwise than the law alloweth*, the party that alloweth the same shall be fined, imprisoned, render damages, or forfeit his place, as the case shall require.'—*Selden by N. Bacon*, 182.

'This induces an absolute necessity of expressing, upon every commitment, the reason for which it is made; that the court, upon a *Habeas Corpus*, may examine into its validity, and, *according to the circumstances of the case*, may discharge, admit to bail, or *remand* the prisoner.'—*Blackstone*, 3. 133.

'Marriot was committed for forging in-

[1] It has been the study of lord Mansfield to remove landmarks.

dorsements upon bank bills, and, upon a *Habeas Corpus*, was bailed, because the crime was only a great misdemeanor ;—for though the forging the bills be felony, yet forging the indorsement is not.'—*Salkeld*, 1. 104.

'Appell de mahem, &c. ideo ne fuit lesse a baille, nient plus que in appell de robbery ou murder ; quod nota, et que in robry et murder le partie n'est baillable.'—*Bro. Mainprise*, 67.

'The intendment of the law in bails is, *quod stat indifferenter*, whether he be guilty or no ; but, when he is convict by verdict or confession, then he must be deemed in law to be guilty of the felony, and therefore *not bailable at all.*'—*Coke*, 2. *Inst.* 188.—4. 178.

'Bail is *quando stat indifferenter* and *not* when the offence is open and manifest.'—2. *Inst.* 189.

'In this case *non stat indifferenter*, whether he be guilty or no, being taken with the *maner*, that is, with the thing stolen, as it were in his hand.'—*D°. D°.*

'If it appeareth that this imprisonment be just and lawful, he *shall be remanded* to the former gaoler ; but, if it shall appear to the court that he was imprisoned against the law of the land, they ought, by force of this statute, to deliver him ; if it be *doubtful*, and under consideration, he may be bailed.'—2. *Inst.* 55.

It is unnecessary to load the reader with any further quotations. If these authorities are not deemed sufficient to establish the doctrine maintained in this paper, it will be in vain to appeal to the evidence of law-books, or to the opinions of judges. They are not the authorities by which lord Mansfield will abide. He assumes an arbitrary power of doing right ; and, if he does wrong, it lies only between God and his conscience.

Now, my Lord, although I have great faith in the preceding argument, I will not say, that every minute part of it is absolutely invulnerable. I am too well acquainted with the practice of a certain court, directed by your example, as it is governed by your authority, to think there ever yet was an argument, however conformable to law and reason, in which a cunning, quibbling attorney might not discover a flaw. But, taking the whole of it together, I affirm that it constitutes a mass of demonstration, than which nothing more complete or satisfactory can be offered to the human mind. How an evasive, indirect reply will stand with your reputation, or how far it will answer in point of defence at the bar of the House of Lords, is worth your consideration. If, after all that has been said, it should still be maintained, that the Court of King's Bench, in bailing felons, are exempted from all legal rules whatsoever, and that the judge has no direction to pursue, but his private affections, or mere unquestionable will and pleasure, it will follow plainly, that the distinction between *bailable* and *not bailable*, uniformly expressed by the legislature, current through all our law-books, and admitted by all our great lawyers without exception, is in one sense a nugatory, in another a pernicious, distinction. It is nugatory, as it supposes a difference in the bailable quality of offences, when, in effect, the distinction refers only to the rank of the magistrate. It is pernicious, as it implies a rule of law, which yet the judge is not bound to pay the least regard to, and impresses an idea upon the minds of the people, that the judge is wiser and greater than the law.

It remains only to apply the law, thus stated, to the fact in question. By an authentic copy of the *mittimus* it appears, that John Eyre was committed for felony, plainly and specially expressed in the warrant of commitment. He was charged before alderman Halifax by the oath of Thomas Fielding, William Holder, William Payne, and William Nash, for *feloniously stealing* eleven quires of writing-paper, value six shillings, the property of Thomas Beach, &c.—By the examinations, upon oath, of the four persons mentioned in the *mittimus*, it was proved, that large quantities of paper had been missed, and that eleven quires (previously marked from a suspicion that Eyre was the thief) were found

upon him. Many other quires of paper, marked in the same manner, were found at his lodgings ; and after he had been some time in Wood-street Compter, a key was found in his room there, which appeared to be a key to the closet at Guildhall, from whence the paper was stolen. When asked what he had to say in his defence, his only answer was, *I hope you will bail me.* Mr Holder, the clerk, replied, *That is impossible. There never was an instance of it, when the stolen goods were found upon the thief.* The lord mayor was then applied to, and refused to bail him.—Of all these circumstances it was your duty to have informed yourself minutely. The fact was remarkable, and the chief magistrate of the city of London was known to have refused to bail the offender. To justify your compliance with the solicitations of your three countrymen, it should be proved that such allegations were offered to you, in behalf of their associate, as honestly and *bonâ fide* reduced it to a matter of doubt and indifference whether the prisoner was innocent or guilty. —Was any thing offered by the Scotch triumvirate that tended to invalidate the positive charge made against him by four creditable witnesses upon oath?—Was it even insinuated to you, either by himself or his bail, that no felony was committed ;—or that *he* was not the felon ;—that the stolen goods were *not* found upon him ;—or that he was only the receiver, not knowing them to be stolen?—Or, in short, did they attempt to produce any evidence of his insanity?—To all these questions, I answer for you, without the least fear of contradiction, positively NO. From the moment he was arrested, he never entertained any hope of acquittal ; therefore thought of nothing but obtaining bail, that he might have time to settle his affairs, convey his fortune into another country, and spend the remainder of his life in comfort and affluence abroad. In this prudential scheme of future happiness, the lord chief justice of England most readily and heartily concurred. At sight of so much virtue in distress, your natural benevolence took the alarm. Such a man as Mr Eyre, struggling with adversity, must always be an interesting scene to lord Mansfield.—Or was it that liberal anxiety, by which your whole life has been distinguished, to enlarge the liberty of the subject?—My Lord, we did not want this new instance of the liberality of your principles. We already knew what kind of subjects they were, for whose liberty you were anxious. At all events the public are much indebted to you for fixing a price, at which felony may be committed with impunity. You bound a felon, notoriously worth thirty thousand pounds, in the sum of three hundred. With your natural turn to equity, and knowing, as you are, in the doctrine of precedents, you undoubtedly meant to settle the proportion between the fortune of the felon, and the fine by which he may compound for his felony. The ratio now upon record, and transmitted to posterity under the auspices of lord Mansfield, is exactly one to a hundred.—My Lord, without intending it, you have laid a cruel restraint upon the genius of your countrymen. In the warmest indulgence of their passions they have an eye to the expense, and if their other virtues fail us, we have a resource in their economy.

By taking so trifling a security from John Eyre, you invited and manifestly exhorted him to escape. Although in bailable cases, it be usual to take four securities, you left him in the custody of three Scotchmen, whom he might have easily satisfied for conniving at his retreat. That he did not make use of the opportunity you industriously gave him, neither justifies your conduct, nor can it be any way accounted for, but by his excessive and monstrous avarice. Any other man, but this bosom-friend of three Scotchmen, would gladly have sacrificed a few hundred pounds, rather than submit to the infamy of pleading guilty in open court. It is possible indeed that he might have flattered himself, and not unreasonably, with the hopes of a pardon. That he would have been pardoned seems more than probable, if I had not directed the

public attention to the leading step you took in favour of him. In the present gentle reign, we well know what use has been made of the lenity of the court and of the mercy of the crown. The lord chief justice of England accepts of the hundredth part of the property of a felon taken in the fact, as a recognizance for his appearance. Your brother *Smythe* brow-beats a jury, and forces them to alter their verdict, by which they had found a Scotch serjeant guilty of murder; and though the Kennedies were convicted of a most deliberate and atrocious murder, they still had a claim to the royal mercy.[1]—They were saved by the chastity of their connexions.—They had a sister;—yet it was not her beauty, but the pliancy of her virtue, that recommended her to the king.—The holy author of our religion was seen in the company of sinners; but it was his gracious purpose to convert them from their sins. Another man, who in the ceremonies of our faith might give lessons to the great enemy of it, upon different principles keeps much the same company. He advertises for patients, collects all the diseases of the heart, and turns a royal palace into an hospital for incurables.—A man of honour has no ticket of admission at St James's. They receive him, like a virgin at the Magdalen;—*Go thou and do likewise.*

My charge against you is now made good. I shall however be ready to answer or to submit to fair objections.[2] If, whenever this matter shall be agitated, you suffer the doors of the House of Lords to be shut, I now protest, that I shall consider you as

[1] The case of the Kennedies is stated in note, p. 242.—That of John Taylor is as follows: He was a serjeant in the first, or royal Scots regiment of foot, and was tried at the Guildford summer assizes, in the year 1770, for the murder of James Smith, the master of the Wheatsheaf, near Westminster bridge. It appeared upon the trial, that the deceased had uttered some aggravating expressions against the Scots; in consequence of which the prisoner, being suddenly thrown off his guard, drew his sword and stabbed him. The jury, after deliberating a considerable time, brought in a verdict of *guilty*, on which Mr Baron Smythe expressed his surprise, adding that he had told them it was only manslaughter, and desired that a *special* verdict should be drawn up, which the *intimidated* jury signed. On this Mr Jasper Smith, a near relation of the deceased, addressed the court in the following words:—'My Lord, I am the nearest of kin to the unfortunate man who was murdered. I always thought, my Lord, when a verdict was once given, it was unalterable, but by the present method of proceeding there need not have been any jury at all. It is as plain a murder as can be, and I am persuaded your Lordship thinks so.' To this speech no reply was given. The decision of the judge, in the above case, occasioned some severe animadversions on his conduct, and several queries were addressed to him upon the subject, which were repeatedly inserted in the Public Advertiser, so as to become extremely conspicuous. This account however, extracted from that paper, does not seem to contain the whole train of the circumstances which preceded this unfortunate catastrophe, for when Taylor was brought to the bar of the King's Bench, February 8, 1771, Lord Mansfield, who read the minutes of the evidence as taken down by Baron Smythe, who presided at the trial, observed, that it appeared that the prisoner had been three times assaulted by Smith, the deceased, collared and violently thrown backward upon a bench, without any provocation, turned out of the house, and called by the most opprobrious names; and further, that when out in the street, he was pursued and attacked by two men, before he offered to draw his sword; from which circumstances the court was unanimously of opinion that he had only been guilty of manslaughter, and sentenced him to be burnt in the hand, which was performed accordingly, behind the bar. Mr Dunning also, a strong oppositionist, defended Mr Baron Smythe's conduct in respect to the trial alluded to by JUNIUS, in a speech spoken on a motion made by Mr Serjeant Glynn, December 6, 1770, 'for an enquiry into the administration of criminal justice, and the proceedings of the judges in Westminster Hall, particularly in cases relating to the liberty of the press and the constitutional power and duty of juries.' Mr Dunning's words are as follow:—'It is not that the characters of the judges are not traduced by groundless accusations and scandalous aspersions. These are grievances which every one sees, and every one laments. Judge Smythe, for example, has, to my knowledge, been very injuriously treated. His conduct in trying the Scotch serjeant at Guildford, for which he has been so much abused in print, and now arraigned in parliament, was, in my opinion, very fair and honourable. I was consulted on the affair as an advocate, and I must say that I perfectly coincided with him in sentiment. Had I been in his place, I must have fallen under the same odium; for my conscience would not have allowed me to use any other language but that of Baron Smythe.'—EDIT.

[2] See Miscellaneous Letter, No. CVI., in which JUNIUS defends the present Letter against several attacks which had been made upon it in the Public Advertiser.—EDIT.

having made no reply. From that moment, in the opinion of the world, you will stand self-convicted. Whether your reply be quibbling and evasive, or liberal and in point, will be matter for the judgment of your peers;—but if, when every possible idea of disrespect to that noble House (in whose honour and justice the nation implicitly confides) is here most solemnly disclaimed, you should endeavour to represent this charge as a contempt of their authority, and move their Lordships to censure the publisher of this paper, I then affirm that you support injustice by violence, that you are guilty of a heinous aggravation of your offence, and that you contribute your utmost influence to promote, on the part of the highest court of judicature, a positive denial of justice to the nation.

JUNIUS.

LETTER LXIX.

TO THE RIGHT HONOURABLE LORD CAMDEN.[1]

My Lord,

I TURN with pleasure from that barren waste in which no salutary plant takes root, no verdure quickens, to a character fertile, as I willingly believe, in every great and good qualification. I call upon you, in the name of the English nation, to stand forth in defence of the laws of your country, and to exert, in the cause of truth and justice, those great abilities, with which you were entrusted for the benefit of mankind. To ascertain the facts set forth in the preceding paper, it may be necessary to call the persons, mentioned in the *mittimus*, to the bar of the House of Lords.[2] If a motion for that purpose should be rejected, we shall know what to think of lord Mansfield's innocence. The legal argument is submitted to your Lordship's judgment. After the noble stand you made against lord Mansfield upon the question of libel, we did expect that you would not have suffered that matter to have remained undetermined. But it was said that lord chief justice Wilmot had been *prevailed upon* to vouch for an opinion of the late judge Yates, which was supposed to make against you; and we admit of the excuse. When such detestable arts are employed to prejudge a question of right, it might have been imprudent, at that time, to have brought it to a decision. In the present instance you will have no such opposition to contend with. If there be a judge or lawyer of any note in Westminster Hall, who shall be daring enough to affirm that, according to the true intendment of the laws of England, a felon, taken with the *maner, in flagrante delicto*, is bailable; or that the discretion of an English judge is merely arbitrary, and not governed by rules of law,—I should be glad to be acquainted with him. Whoever he be, I will take care that he shall not give you much trouble. Your Lordship's character assures me that you will assume that principal part, which belongs to you, in supporting the laws of England, against a wicked judge, who makes it the occupation of his life to misinterpret and pervert them. If you decline this honourable office, I fear it will be said that, for some months past, you have kept too much company with the duke of Grafton. When the contest turns upon the interpretation of the laws, you cannot, without a formal surrender of all your reputation, yield the post of honour even to lord Chatham. Considering the situation and abilities of lord Mansfield, I do not scruple to affirm, with the most solemn appeal to God for my sincerity, that, in *my* judgment, he is the very worst and most dangerous man in the kingdom. Thus far I have done my duty in endeavouring to bring him to punishment. But mine is an inferior, ministerial office in the temple of

[1] This Letter followed the preceding in the Public Advertiser of January 21, 1772.

[2] In the case of lord Mansfield's having bailed Eyre, lord Camden had openly expressed his opinion that the bail was illegal, and had given reason to expect that he would make it the subject of a parliamentary enquiry on the commencement of the ensuing session. JUNIUS refers to this generally conceived pledge, and strives (though the effort was in vain) to induce his Lordship to redeem it.—EDIT.

justice. — I have bound the victim, and dragged him to the altar.

JUNIUS.

THE Reverend Mr John Horne having, with his usual veracity and honest industry, circulated a report that JUNIUS, in a letter to the Supporters of the Bill of Rights, had warmly declared himself in favour of long parliaments and rotten boroughs, it is thought necessary to submit to the public the following extract from his letter to John Wilkes, Esq., dated the 7th of September, 1771, and laid before the Society on the 24th of the same month.[1]

'With regard to the several articles, taken separately, I own I am concerned to see that the great condition, which ought to be the *sine quâ non* of parliamentary qualification,—which ought to be the basis (as it assuredly will be the only support) of every barrier raised in defence of the constitution, I mean *a declaration upon oath to shorten the duration of parliaments*, is reduced to the fourth rank in the esteem of the Society; and, even in that place, far from being insisted on with firmness and vehemence, seems to have been particularly slighted in the expression,—*You shall endeavour to restore annual parliaments!* — Are these the terms which men, who are in earnest, make use of, when the *salus reipublicæ* is at stake?—I expected other language from Mr Wilkes.—Besides my objection in point of form, I disapprove highly of the meaning of the fourth article as it stands. Whenever the question shall be seriously agitated, I will endeavour (and if I live will assuredly attempt it) to convince the English nation, by arguments to *my* understanding unanswerable, that they ought to insist upon a triennial, and banish the idea of an annual parliament. * * * * I am convinced that, if shortening the duration of parliaments (which in effect is keeping the representative under the rod of the constituent) be not made the basis of our new parliamentary jurisprudence, other checks or improvements signify nothing. On the contrary, if this be made the foundation, other measures may come in aid, and, as auxiliaries, be of considerable advantage. Lord Chatham's project, for instance, of increasing the number of knights of shires, appears to me admirable. * * * * As to cutting away the rotten boroughs, I am as much offended as any man at seeing so many of them under the direct influence of the crown, or at the disposal of private persons. Yet, I own, I have both doubts and apprehensions in regard to the remedy you propose. I shall be charged perhaps with an unusual want of political intrepidity, when I honestly confess to you, that I am startled at the idea of so extensive an amputation.—In the first place, I question the power, *de jure*, of the legislature to disfranchise a number of boroughs, upon the general ground of improving the constitution. There cannot be a doctrine more fatal to the liberty and property we are contending for, than that, which confounds the idea of a *supreme* and an *arbitrary* legislature. I need not point out to you the fatal purposes, to which it has been, and may be applied. If we are sincere in the political creed we profess, there are many things which we ought to affirm cannot be done by King, Lords, and Commons. Among these I reckon the disfranchising of boroughs with a general view to improvement. I consider it as equivalent to robbing the parties concerned of their freehold, of their birthright. I say, that, although this birthright may be forfeited, or the exercise of it suspended, in particular cases, it cannot be taken away, by a general law, for any real or pretended purpose of improving the constitution. Supposing the attempt made, I am persuaded you cannot mean that either king or lords should take an active part in it. A bill, which only touches the representation of the people, must originate in the House of Commons. In the formation and mode of passing it, the exclusive right

[1] This letter is given entire in the private correspondence between JUNIUS and Mr Wilkes. See Private Letters, No. 66.—EDIT.

of the Commons must be asserted as scrupulously, as in the case of a money-bill. Now, Sir, I should be glad to know by what kind of reasoning it can be proved, that there is a power vested in the representative to destroy his immediate constituent. From whence could he possibly derive it? A courtier, I know, will be ready enough to maintain the affirmative. The doctrine suits him exactly, because it gives an unlimited operation to the influence of the crown. But we, Mr Wilkes, ought to hold a different language. It is no answer to me to say, that the bill, when it passes the House of Commons, is the act of the majority, and not of the representatives of the particular boroughs concerned. If the majority can disfranchise ten boroughs, why not twenty, why not the whole kingdom? Why should not they make their own seats in parliament for life? —When the Septennial Act passed, the legislature did what, apparently and palpably, they had no power to do; but they did more than people in general were aware of: they, in effect, disfranchised the whole kingdom for four years.

'For argument's sake, I will now suppose, that the expediency of the measure and the power of parliament are unquestionable. Still you will find an insurmountable difficulty in the execution. When all your instruments of amputation are prepared, when the unhappy patient lies bound at your feet, without the possibility of resistance, by what infallible rule will you direct the operation?—When you propose to cut away the *rotten* parts, can you tell us what parts are perfectly *sound?* —Are there any certain limits, in fact or theory, to inform you at what point you must stop, at what point the mortification ends? To a man so capable of observation and reflection as you are, it is unnecessary to say all that might be said upon the subject. Besides that I approve highly of lord Chatham's idea *of infusing a portion of new health into the constitution to enable it to bear its infirmities* (a brilliant expression, and full of intrinsic wisdom), other reasons concur in persuading me to adopt it. I have no objection,' &c.

The man, who fairly and completely answers this argument, shall have my thanks and my applause. My heart is already with him.—I am ready to be converted.—I admire his morality, and would gladly subscribe to the articles of his faith. Grateful, as I am, to the GOOD BEING, whose bounty has imparted to me this reasoning intellect, whatever it is, I hold myself proportionably indebted to him, from whose enlightened understanding another ray of knowledge communicates to mine. But neither should I think the most exalted faculties of the human mind, a gift worthy of the divinity; nor any assistance in the improvement of them, a subject of gratitude to my fellow-creature, if I were not satisfied, that really to inform the understanding corrects and enlarges the heart.

JUNIUS.

MISCELLANEOUS LETTERS

OF

JUNIUS.

MISCELLANEOUS LETTERS

OF

JUNIUS.

LETTER I.

FOR THE PUBLIC ADVERTISER.

28 *April*, 1767.

Dictatura, quam in summis reipublicæ angustiis acceperat, per pacem continuata, libertatem fregit; donec illum conversus in rabiem populus et dii ultores de saxo Tarpeio dejecerunt.—LIVY.

THE bravest and freest nations have sometimes submitted to a temporary surrender of their liberties, in order to establish them for ever. At a crisis of public calamity or danger, the prudence of the state placed a confidence in the virtue of some distinguished citizen, and gave him power sufficient to preserve or to oppress his country. Such was the Roman dictator, and while his office was confined to a short period, and only applied as a remedy to the disasters of an unsuccessful war, it was usually attended with the most important advantages, and left no dangerous precedent behind. The dictator, finding employment for all his activity in repulsing a foreign invasion, had but little time to contrive the ruin of his own country, and his ambition was nobly satisfied by the honour of a triumph, and the applause of his fellow-citizens. But as soon as this wise institution was corrupted, when that unlimited trust of power, which should have been reserved for conjunctures of more than ordinary difficulty and hazard, was without necessity committed to one man's uncertain moderation, what consequence could be expected but that the people should pay the dearest price for their simplicity, nor ever resume those rights, which they could vainly imagine were more secure in the hands of a single man, than where the laws and constitution had placed them.

Without any uncommon depravity of mind, a man so trusted might lose all ideas of public principle or gratitude, and not unreasonably exert himself to perpetuate a power, which he saw his fellow-citizens weak and abject enough to surrender to him. But if, instead of a man of a common mixed character, whose vices might be redeemed by some appearance of virtue and generosity, it should have unfortunately happened that a nation had placed all their confidence in a man purely and perfectly bad; if a great and good prince, by some fatal delusion, had made choice of such a man for his first minister, and had delegated all his authority to him, what security would that nation have for its freedom, or that prince for his crown? The history of every nation, that once had a claim to liberty, will tell us what would be the progress of such a traitor, and what the probable event of his crimes.[1]

[1] This severe invective is aimed against the late lord Chatham, formerly the right honourable W. Pitt. The reader, by a perusal of the preceding letters, is already acquainted with the

Let us suppose him arrived at that moment, at which he might see himself within reach of the great object, to which all the artifices, the intrigues, the hypocrisy, and the impudence of his past life were directed. On the point of having the whole power of the crown committed to him, what would be his conduct? an affectation of prostrate humility in the closet, but a lordly dictation of terms to the people, by whose interest he had been supported, by whose fortunes he had subsisted. Has he a brother? that brother must be sacrificed.[1] Has he a rancorous enemy? that enemy must be promoted.[2] Have years of his life been spent in declaiming against the pernicious influence of a favourite? that favourite must be taken to his bosom, and made the only partner of his power.[3] But it is in the natural course of things that a despotic power, which of itself violates every principle of a free constitution, should be acquired by means, which equally violate every principle of honour and morality. The office of a grand Vizir is inconsistent with a limited monarchy, and can never subsist long but by its destruction. The same measures by which an abandoned profligate is advanced to power, must be observed to maintain him in it. The principal nobility, who might disdain to submit to the upstart insolence of a dictator, must be removed from every post of honour and authority; all public employments must be filled with a despicable set of creatures, who having neither experience nor capacity, nor any weight or respect in their own persons, will necessarily derive all their little busy importance from him. As the absolute destruction of the constitution of his country would be his great object, to be consistent with that design he must exert himself to weaken and impoverish every rank and order of the community, which by the nature of their property, and the degree of their wealth, might have a par-

utter aversion which JUNIUS at first felt for this nobleman, on various political accounts, and especially on the subject of the American dispute. His aversion, however, softened as their political views approximated, and was at length converted into approbation and eulogy. See for a further explanation, the note to Miscellaneous Letter, No. XII., p. 364.—EDIT.

[1] Lord Temple, brother-in-law to lord Chatham. They resigned their respective offices, the former of privy seal, and the latter of principal secretary of state, in October 1761. Lord Temple was succeeded by the duke of Bedford; and upon lord Chatham's forming his administration in 1766, he took the post of privy seal himself. Lord Temple did not take part in any ministry arranged subsequent to his resignation of that office, and died Sept. 11, 1779.

The following letter from lord C. before his promotion to the peerage, explains the motives of their joint resignation; it was addressed to a friend in the city:—

'DEAR SIR,

'Finding, to my great surprise, that the cause and manner of my resigning the seals is grossly misrepresented in the city, as well as that the most gracious and *spontaneous* marks of his Majesty's approbation of my services, which marks followed my resignation, have been infamously traduced as a bargain for my forsaking the public, I am under a necessity of declaring the truth of both these facts, in a manner which I am sure no gentleman will contradict. A difference of opinion with regard to measures to be taken against Spain, of the highest importance to the honour of the crown, and to the most essential national interests, and this founded on what Spain had already done, not on what that court may further intend to do, was the cause of my resigning the seals. Lord Temple and I submitted in writing, and signed by us, our most humble sentiments to his Majesty, which being overruled by the united opinion of all the rest of the king's servants, I resigned the seals on Monday the 5th of this month, in order to not remain responsible for measures which I was no longer allowed to guide. Most gracious public marks of his Majesty's approbation of my services followed my resignation: they are unmerited and unsolicited, and I shall ever be proud to have received them from the best of sovereigns.

'I will now only add, my dear Sir, that I have explained these matters only for the honour of truth, not in any view to court return of confidence from any man, who, with a credulity as weak as it is injurious, has thought fit hastily to withdraw his good opinion from one who has served his country with fidelity and success, and who justly reveres the upright and candid judgment of it; little solicitous about the censures of the capricious and the ungenerous: accept my sincerest acknowledgments for all your kind friendship, and believe me ever with truth and esteem,

'My dear Sir,

'Oct. 14, 1761. 'Your faithful friend,

'W. PITT.'—EDIT.

[2] The duke of Bedford.—EDIT.

[3] Lord Bute.—EDIT.

ticular interest in the support of the established government, as well as power to oppose any treacherous attempts against it. The landed estate must be oppressed; the rights of the merchant must be arbitrarily invaded, and his property forced from him by main force, without even the form of a legal proceeding. It will assist him much, if he can contribute to the destruction of the poor by continuing the most burthensome taxes upon the main articles of their subsistence. He must also take advantage of any favourable conjuncture to try how far the nation will bear to see the established laws suspended by proclamation, and upon such occasions he must not be without an apostate lawyer, weak enough to sacrifice his own character, and base enough to betray the laws of his country.[1]

These are but a few of the pernicious practices by which a traitor may be known, by which a free people may be enslaved. But the master-piece of his treachery, and the surest of answering all his purposes, would be, if possible, to foment such discord between the mother-country and her colonies, as may leave them both an easier prey to his own dark machinations. With this patriotic view he will be ready to declare himself the patron of sedition, and a zealous advocate for rebellion. His doctrines will correspond with the proceedings of the people he protects, and if by his assistance they can obtain a victory over the supreme legislature of the empire, he will consider that victory as an important step towards the advancement of his main design.[2]

Such, Sir, in any free state, would probably be the conduct and character of a man unnecessarily trusted with exorbitant power. He must either succeed in establishing a tyranny or perish. I cannot without horror suppose it possible that this our native country should ever be at the mercy of so black a villain. But if the case should happen hereafter, I hope the British people will not be so abandoned by Providence, as not to open their eyes time enough to save themselves from destruction; and though we have no Tarpeian rock for the immediate punishment of treason, yet we have impeachments, and a gibbet is not too honourable a situation for the carcase of a traitor.

POPLICOLA.

LETTER II.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 28 *May*, 1767.

YOUR correspondent C. D.[3] professes to undeceive the public with respect

[1] This subject is fully explained in many parts of the Letters of JUNIUS, and in the notes now subjoined to them. The character alluded to is earl Camden, at that time lord chancellor.—EDIT.

[2] Lord Chatham, then Mr Pitt, opposed Mr George Grenville's Stamp Act, and denied the right of the parliament of Great Britain to legislate for America.—EDIT.

[3] Poplicola, the writer of this reply, by some means or other mistook the real signature, which instead of being C. D. was W. D. The letter is dated from Clifton, and is obviously from the pen of sir W. Draper; affording a singular proof that the Knight of the Bath and JUNIUS were political opponents under signatures mutually unknown, and so far back as May 1767. The subject of sir William's observations was a defence of lord Chatham against some strong observations made upon his character by Mr Wilkes, in a letter addressed to the duke of Grafton, relative to the illegal proceedings of the earl of Halifax. The letter is dated Paris, Dec. 12, 1763, and the part chiefly adverted to is the following:—

'I believe that the flinty heart of lord Chatham has known the sweets of private friendship, and the fine feelings of humanity, as little as even lord Mansfield. They are both formed to be admired, not beloved. A proud, insolent, overbearing, ambitious man is always full of the ideas of his own importance, and vainly imagines himself superior to the equality necessary among real friends, in all the moments of true enjoyment. Friendship is too pure a pleasure for a mind cankered with ambition, or the lust of power and grandeur. Lord Chatham declared in parliament the strongest attachment to lord Temple, one of the greatest characters our country could ever boast, and said *he would live and die with his noble brother*. He has received obligations of the first magnitude from that *noble brother*, yet what trace of gratitude or of friendship was ever found in any part of his conduct? and has he not now declared the most open variance, and even hostility? I have had

to some reflections thrown out upon the earl of Chatham in Mr Wilkes's letter to the duke of Grafton. Without undertaking the defence of that gentleman's conduct or

as warm and express declarations of regard as could be made by this marble-hearted friend, and Mr Pitt had no doubt his views in even feeding me with flattery from time to time; on occasions too where candour and indulgence were all I could claim. He may remember the compliments he paid me on two certain poems in the year 1754. If I were to take the declarations made by himself and the late Mr Potter *à la lettre*, they were more charmed with those verses after the ninety-ninth reading, than after the first; so that from this circumstance, as well as a few of his speeches in parliament, it seems to be likewise true of the first orator, or rather the first comedian, of our age, *non displicuisse illi jocos, sed non contigisse*.

'I will now submit to your Grace, if there was not something peculiarly base and perfidious in Mr Pitt's calling me a *blasphemer of my God* for those very verses, at a time when I was absent, and dangerously ill from an affair of honour. The charge too he knew was false, for the whole ridicule of those two pieces was confined to certain mysteries, which formerly the *unplaced* and *unpensioned* Mr Pitt did not think himself obliged even to affect to believe. He added another charge equally unjust, that I was the *libeller of my king*, though he was sensible that I never wrote a single line disrespectful to the sacred person of my sovereign, but had only attacked the despotism of his ministers, with the spirit becoming a good subject, and zealous friend of his country. The reason of this perfidy was plain. He was then beginning to pay homage to the *Scottish* idol, and I was the most acceptable sacrifice he could offer at the shrine of BUTE. History scarcely gives so remarkable a change. He was a few years ago the mad, seditious tribune of the people, insulting his sovereign, even in his capital city; now he is the abject, crouching deputy of the proud Scot, who he declared in parliament *wanted wisdom, and held principles incompatible with freedom;* a most ridiculous character surely for a statesman, and the subject of a free kingdom, but the proper composition for a *favourite*. Was it possible for me after this to write a suppliant letter to lord Chatham? I am the first to pronounce myself most unworthy of a pardon, if I could have obtained it on those terms.

'Although I declare, my Lord, that the conscious pride of virtue makes me look down with contempt on a man, who could be guilty of this baseness, who could in the lobby declare that I must be supported, and in the House on the same day desert and revile me, yet I will on every occasion do justice to the minister. He has served the public in all those points, where the good of the nation coincided with his own private views; and in no other. I venerate the memory of the secretary, and I think it an honour to myself that I steadily supported in parliament an administration, the most successful we ever had, and which carried the glory of the

nation to the highest pitch in every part of the world. He found his country almost in despair. He raised the noble spirit of England, and strained every nerve against our enemies. His plans, when in power, were always great, though in direct opposition to the declarations of his whole life, when out of power. The invincible bravery of the British troops gave success even to the most rash, the most extravagant, the most desperate of his projects. He saw early the hostile intentions of Spain, and if the *written advice* had been followed, a very few weeks had then probably closed the last general war; although the merit of that *advice* was more the merit of his *noble brother*, than his own. After the omnipotence of lord Bute in 1761 had forced Mr Pitt to retire from his Majesty's councils, and the cause was declared by himself to be our conduct relative to Spain, I had the happiness of setting that affair in so clear and advantageous a light, that he expressed the most entire satisfaction, and particular obligations to my friendship. I do not, however, make this a claim of merit to Mr Pitt. It was my duty, from the peculiar advantages of information I then had.'

In answer to these strictures sir William Draper in the letter subscribed W. D., and which is too long to be copied verbatim, quotes several of Mr Wilkes's previous declarations in favour of lord Chatham, while Mr Pitt, and concludes as follows:—

'The letter asserts also that lord Chatham is now the abject, crouching deputy of lord Bute, who he declared in parliament wanted wisdom, and held principles incompatible with freedom. The world knows nothing of this abject, crouching deputed minister, but from Mr Wilkes's single affirmation; but we all know that his Majesty has been pleased to call lord Chatham again to the ministry: if lord Bute supports him in it, he gives the noblest proof of generosity and greatness of soul, and has revenged himself in the finest manner upon lord Chatham for those expressions, and affords the strongest proof that he does not want wisdom, or hold principles incompatible with freedom. What greater proof of wisdom can he give, than in supporting that person who is the most capable of doing good to his country, and has upon all occasions approved himself the most zealous protector of its liberties? But I beg pardon; upon a late occasion, indeed, lord Chatham showed himself to be no friend to liberty; he was so very tyrannical, as well as lord Camden, that he denied some traders the right, liberty, and privilege of starving his fellow-citizens, by exporting all the corn out of the kingdom, for which he has met with his reward, and been as much abused as if he himself had been guilty of starving them. Is there no Tarpeian rock for such a tyrant?

'Mr Wilkes has now done with lord Chatham, leaving him to the poor consolation of a place, a peerage, and a pension; for which, he says, he has sold the confidence of a great nation. But I

character, permit me to observe that he was the instrument, and a useful one to the party, therefore should not have been sacrificed by it. He served them perhaps with too much zeal; but such is the reward, which the tools of faction usually receive, and in some measure deserve, when they are imprudent enough to hazard every thing in support of other men's ambition.

I cannot admit, that because Mr Pitt was respected and honoured a few years ago, the earl of Chatham therefore deserves to be so now; or that a description, which might have suited him at one part of his life, must of necessity be the only one applicable to him at another. It is barely possible, that a very honest commoner may become a very corrupt and worthless peer; and I am inclined to suspect that Mr C. D. will find but few people credulous enough to believe that either Mr Pitt or Mr Pultney, when they accepted of a title, did not, by that action, betray their friends, their country, and, in every honourable sense, themselves. Mr C. D. wilfully misrepresents the cause of that censure, which was very justly thrown upon lord Chatham, when the exportation of corn was prohibited by proclamation. The measure itself was necessary, and the more necessary from the scandalous delay of the ministry in calling the parliament together; but to maintain that the proclamation was legal, and that there was a suspending power lodged in the crown, was such an outrage to the common sense of mankind, and such a daring attack upon the constitution, as a free people ought never to forgive. The man, who maintained those doctrines, ought to have had the Tarpeian rock, or a gibbet, for his reward. Another gentleman, upon that occasion, had spirit and patriotism enough to declare, even in a respectable assembly, that, when he advised the proclamation, he did it with the strongest conviction of its being illegal; but he rested his defence upon the unavoidable necessity of the case, and submitted himself to the judgment of his country. This noble conduct deserved the applause and gratitude of the nation, while that of the earl of Chatham, and his miserable understrappers, deserved nothing but detestation and contempt.

POPLICOLA.

cannot take leave of, or have done with, Mr Wilkes, without making a few observations upon this paragraph: Mr Wilkes is a great jester; in this place he cannot possibly be serious; for as to the pension, I think I cannot explain it better to my countrymen, than in Mr Wilkes's own words, August 12, 1762.

"'"I must, in compliance with a few vulgar writers, call the inadequate reward given to Mr Pitt, for as great services as ever were performed by a subject, a pension, although the grant is not during pleasure, and therefore cannot create any undue, unconstitutional influence. In the same light we are to consider the dukes of Cumberland's and Marlborough's, prince Ferdinand's, and admiral Hawke's, Mr Onslow's, &c. &c. &c. I was going to call it the king's gold box; for Mr Pitt having before received the most obliging marks of regard from the public, the testimony of his sovereign only remained wanting."

'Now as Mr Wilkes has so fully set forth the nature of this pension, I cannot think it will at all lessen the confidence of the nation in lord Chatham: it may very possibly lessen their confidence in Mr Wilkes, who has contradicted himself so furiously, and perhaps destroy that idea of consistency which the gentleman boasts of in his letter to the duke of Grafton; where he assures his Grace, that "however unfashionable such a declaration may be, consistency shall never depart from his character." The reader has the proofs before him, and will judge of it accordingly. W. D.'—EDIT.

LETTER III.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

24 *June*, 1767.

Accedere matrem muliebri impotentiâ; serviendum fœminæ, duobusque insuper nebulonibus, qui rempublican interim premant, quandoque distrahant.

Tacitus 1° Annalium.

THE uncertain state of politics in this country sets all the speculations of the press at defiance. To talk of modern ministers, or to examine their conduct, would be to reason without data; for whether it be owing to the real simple innocence of doing nothing, or to a happy

mysteriousness in concealing their activity, we know as little of the services they have performed, since it became their lot to appear in the gazette, as we did of their persons or characters before. They seem to have come together by a sort of fortuitous concourse, and have hitherto done nothing else but jumble and jostle one another, without being able to settle into any one regular or consistent figure. I am not however such an atheist in politics as to suppose that there is not somewhere an original creating cause, which drew these atoms forth into existence; but it seems the utmost skill and cunning of that secret governing hand could go no further. To create or foment confusion, to sacrifice the honour of a king, or to destroy the happiness of a nation, requires no talent, but a natural *itch* for doing mischief. We have seen it performed for years successively, with a wantonness of triumph, by a man who had neither abilities nor personal interest, nor even common personal courage.[1] It has been possible for a notorious coward, skulking under a petticoat, to make a great nation the prey of his avarice and ambition. But I trust the time is not very distant when we shall see him dragged forth from his retirement, and forced to answer severely for all the mischiefs he hath brought upon us.

It is worth while to consider, though perhaps not safe to point out, by what arts it hath been possible for him to maintain himself so long in power, and to skreen himself from national justice. Some of them have been obvious enough; the rest may without difficulty be guessed at. But whatever they are, it is not above a twelvemonth ago, since they might have all been defeated, and the venomous spider itself caught and trampled on in its own webs. It was then his good fortune to corrupt one man, from whom we least of all expected so base an apostacy.[2] Who indeed could have suspected, that it should ever consist with the spirit or understanding of that person, to accept of a share of power under a pernicious court minion, whom he himself had affected to detest or despise, as much as he knew he was detested and despised by the whole nation? I will not censure him for the avarice of a pension, nor the melancholy ambition of a title. These were objects which he perhaps looked up to, though the rest of the world thought them far beneath his acceptance. But, to become the stalking-horse of a stallion; to shake hands with a Scotchman at the hazard of catching all his infamy; to fight under his auspices against the constitution; and to receive the word from him, prerogative and a thistle; (by the once respected name of Pit!) it is even below contempt. But it seems that this unhappy country had long enough been distracted by their divisions, and in the last instance was to be oppressed by their union. May that union, honourable as it is, subsist for ever! may they continue to smell at one thistle, and not be separated even in death!

ANTI SEJANUS, JUN.

[1] The earl of Bute.—EDIT.

[2] The earl of Chatham.—EDIT.

[3] Lord Townshend, and his brother, the Honourable Charles Townshend, the former just appointed lord-lieutenant of Ireland, and the latter at this time chancellor of the Exchequer.—EDIT.

LETTER IV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

St James's Coffee-house,
25 Aug. 1767.

SIR,

I HAVE been some time in the country, which has prevented your hearing sooner from me. I find you and your brother printers have got greatly into a sort of knack of stuffing your papers with flummery upon two certain brothers,[3] who are labour-in-vain endeavouring to force themselves out of the world's contempt. I have great good will to you, and hope you are well paid for this sort of nonsense, as indeed you ought to be, for it certainly dis-

graces your paper. It is in vain that your friends assure the coffee-house, that these things are wrote by the brothers themselves; that you believe no more of them than the rest of the world does; and that you only put them in to show your extreme impartiality, which sometimes obliges you to insert the most improbable stories; I would therefore advise you, as a friend, to give up this noble pair as *enfans perdus*.

I am not a stranger to this *par nobile fratrum*. I have served under the one, and have been forty times promised *to be served* by the other. I don't think it possible to characterize either without having recourse to the other; but anybody who knows one of them, may easily obtain an idea of the other: Thus now; suppose you acquainted with the chancellor, take away his ingenuity, and a something, that at times looks something like good nature, but it is not, and you have the direct and actual character of the peer; a boaster without spirit, and a pretender to wit without a grain of sense; in a word, a vainglorious idler without one single good quality of head or heart. I hope his affairs with lord —— and Mr —— are the only instances of his setting out with unnecessary insolence, and ending with shameful tameness. But is such a man likely to please the brave Irish, whose hasty tempers, or whose blunders, may sometimes lead them into a quarrel; but whose swords always carry them through it. Are these the pair, who are to give stability to a wavering favourite, and permanency to a *locum tenens* administration? Alas! alas!

Non tali auxilio, nec defensoribus istis
Tempus eget:

And is it by such a prop that Grafton thinks to stand, after throwing down his idol Pitt, at whose false altar he had before sacrificed his friends? Is it for such a man that Conway foregoes the connexions of his youth, and the friends of his best and ripest judgment.—*O tempora! O mores!*

A FAITHFUL MONITOR.

LETTER V.[1]

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 16 *Sept.* 1767.

HIS Excellency the Lord-Lieutenant of Ireland,[2] is said to have a singular turn for portrait painting, which he willingly employs in the service of his friends. He performs gratis, and seldom gives them the trouble of sitting for their pictures. But I believe the talents of this ingenious nobleman never had so fair an occasion of being employed to advantage as at present. It happens very fortunately for him, that he has now a set of friends, who seem intended by nature for the subjects of such a pencil. In delineating their features to the public, he will have an equal opportunity of displaying the delicacy of his hand, and, upon which he chiefly piques himself, the benevolence of his heart. But considering the importance of his present cares, I would fain endeavour to save him the labour of the design, in hopes that he will bestow a few moments more upon the execution. Yet I will not presume to claim the merit of invention. The blindness of chance has done more for the painter, than the warmest fancy could have imagined, and has brought together such a groupe of figures, as, I believe, never appeared in real life, or upon canvas before.

Your principal character, my Lord, is a young duke[3] mounted upon a lofty phaeton; his head grows giddy; his horses carry him violently down a precipice, and a bloody carcase, the fatal emblem of Britannia, lies mangled under his wheels. By the side of this furious charioteer sits Caution

[1] The following answer to correspondents in the Public Advertiser of Sept. 16, identifies JUNIUS to have been the writer of this letter. 'Our correspondent C. will observe, that we have obeyed his directions in every particular, and we shall always pay the utmost attention to whatever comes from so masterly a pen.'—EDIT.

[2] Lord Townshend.—EDIT.

[3] The duke of Grafton.—EDIT.

without foresight,[1] a motley thing, half military, scarce civil. He too would guide, but, let who will drive, is determined to have a seat in the carriage. If it be possible, my Lord, give him to us in the attitude of an orator eating the end of a period, which may begin with, *I did not* say *I would pledge* MY*self*—The rest he eats.

Your next figure must bear the port and habit of a judge. The laws of England under his feet, and before his distorted vision a dagger, which he calls the law of nature, and which marshals him the way to the murder of the constitution.[2]

In such good company, the respectable president of the council cannot possibly be omitted.[3] A reasonable number of decrees must be piled up behind him, with the word REVERSED in capital letters upon each of them ; and out of his decent lips a compliment *à la Tilbury, Hell and d——n blast you all.* * * * * *

There is still a young man, my Lord, who I think will make a capital figure in the piece. His features are too happily marked to be mistaken. A single line of his face will be sufficient to give us the heir-apparent of Loyola and all the College. *A little more of the devil, my Lord, if you please, about the eyebrows; that's enough; a perfect Malagrida I protest!*[4] So much for his person ; and as for his mind, a blinking bull-dog[5] placed near him, will form a very natural type of all his good qualities.

These are the figures, which are to come forward to the front of the piece. Your friendship for the earl of Bute will naturally secure a corner in the retirement for him and his curtain. Provided you discover him * * * * * *[6]

If there are still any vacancies in the canvas, you will easily fill them up with fixtures or still life. You may show us half a paymaster, for instance, with a paper stuck upon the globe of his eye, and a label out of his mouth, *No, Sir, I am of t'other side, Sir.* How I lament that sounds cannot be conveyed to the eye![7]

You may give us a commander-in-chief[8] and a secretary at war[9] seeming to pull at two ends of a rope ; while a slip-knot in the middle may really strangle three-fourths of the army ; or a lunatic brandishing a crutch,[10] or bawling through a grate, or writing with desperate charcoal a letter to North America ; or a Scotch secretary teaching the Irish people the true pronunciation of the English language. That barbarous people are but little accustomed to figures of oratory, so that you may represent him in any attitude you think proper, from that of sir Gilbert Elliot[11] down to governor Johnstone. These, however, are but the slighter ornaments of composition, and so I leave them to the choice of your own luxurious fancy.

The back-ground may be shadowed with the natural obscurity of Scotch clerks and Scotch secretaries, who may be *itched* out to the life, with one hand grasping a pen, the other rivetted in their respective * *

[1] Mr Conway, secretary of state for the northern department.—EDIT.

[2] Lord Camden. A scarcity of grain having been experienced during the recess, government had taken upon itself to stop the exportation of corn, in defiance of an act of parliament that granted a bounty for exporting it. The legality of this measure of a proclamation having been questioned, lord Camden maintained that in a case of necessity, the crown was possessed of a legal power to suspend the operation of an act of the legislature. See this subject further touched upon in Letter LX.—EDIT.

[3] Lord Northington, formerly lord chancellor, one or two of whose decrees had, at the above period, been reversed ; a circumstance, however, which may possibly be as attributable to his not having sufficiently applied himself to the cases in question, as to any natural deficiency of judgment. His manners had certainly not been studied in the refined school of lord Chesterfield.—EDIT.

[4] Lord Shelburne, father to the present marquis of Lansdown, at that time secretary of state for the southern department.—EDIT.

[5] Col. Barré, then vice-treasurer of Ireland.—EDIT.

[6] A lady, who was thought to have considerable influence, is here alluded to.—EDIT.

[7] Lord North and Mr afterwards sir G. Cooke, were joint paymasters, the former of whom is ridiculed.—EDIT.

[8] The marquis of Granby.—EDIT.

[9] Lord Barrington.—EDIT.

[10] Lord Chatham.—EDIT.

[11] At that time Irish secretary.—EDIT.

* * * * *. Your southern writers are apt to rub their foreheads in the agony of composition; but with Scotchmen, the seat of inspiration lies in a lower place, which, while the FUROR is upon them, they lacerate without mercy. By this delectable friction, their imaginations become as prurient as their * * * * * *, and the latter are relieved from one sort of matter while their brains are supplied with another. Every thing they write in short is polished *ad unguem*.

But amidst all the license of your wit, my Lord, I must entreat you to remember that there is one character too high and too sacred even for the pencil of a peer, though your Lordship has formerly done business for the family. Besides, the attempt would be unnecessary. The true character of that great person is engraven in the hearts of the Irish nation; and as to a false one, they need only take a survey of the person and manners of their chief governor, if, in the midst of their distresses, they can laugh at the perfect caricature of a king.

CORREGGIO.

LETTER VI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 12 *October*, 1767.

THERE has been for some time past a very curious altercation carried on through your paper between *Philo Veritatis* and *No Ghost*. This altercation has hitherto been carried on like other political disputes, by affirmatives and negatives, assertions and contradictions, good hits and smart repartees. This is the kind of combat usually fought on, and indeed the only one adapted to, the field of a public paper. But I perceive, not without anxiety, that another species of battle is likely to take place between the two champions whom I have mentioned.[1] In this I am too much concerned to remain neuter. I have courage enough to draw my pen upon any man, but I should be very unwilling to draw my sword; the pop-gun of wit I can stand, but a pistol is what I dare not face. Somehow or other, I have taken it into my head, that the dull and heavy argument of a pistol-ball is more convincing than the most elaborate reasoning, or the keenest wit which can be delivered by a pen. Alas, Sir, what then shall I do? Shall I remain silent, whilst *No Ghost* affirms that the lord-lieutenant of Ireland is a coward, and *Philo Veritatis (è contra)* declares him a brave and undaunted soldier?—It is of little importance which side I am inclined to from judgment. If I declare in favour of *Philo Veritatis*, I incur the danger of a pen, which he himself seems to think

[1] Vide *Philo Veritatis* his letter in this paper, of the sixth instant. The following extract from it will enable the reader the better to understand the allusions in the present letter.

'That his Excellency the present lord-lieutenant of Ireland commanded at Quebec, is indisputable. Captain Schomberg, as gallant an officer as any in the navy, and who, with the brave captain Dean, burnt and destroyed the French fleet, had the honour to convey him up the Gulph of St Lawrence, where his Excellency multiplied his military glory; and here I cannot omit an anecdote relating to his Lordship, which occurred at Dettingen in Germany. In the very heat of the carnage of that day, and amidst the horrors of almost universal desolation, a soldier, fighting near his Lordship's side, was killed by a cannon-ball; part of his brains flew out, and some on his Lordship's clothes and in his face. The brave general G——— being near him, said, "My lord, this is terrible work to-day:" "So it is," replied his Lordship, wiping himself with great calmness; "but one would imagine, general, this man had too much brains to be here," at the same time tears of manly pity filled his compassionate eyes.

'Now if humanity, intrepidity, and (what the French justly distinguish by the name of) *sang froid*, be the characteristics of a valiant soldier, my favourite lord (and such I am proud to own him) can, as the lawyers say, make out, even from this single story, a good title, and does deserve (as I have before averred) to have his name inscribed in adamantine letters on a column of eternal fame; and if Mr No Ghost disputes it, I (in the ancient style of the heralds) defy him: I accept his gauntlet, and stand forth his Lordship's avowed champion, though a bad one, ready to fight in his defence, either with pistol or pen, and desire No Ghost to accept of a Rowland for his Oliver in a scrap of Latin on my side.

'*Parturiunt montes; nascetur ridiculus mus.* Bye bye, Mr No Ghost.

'October 2. PHILO VERITATIS.'—EDIT.

very sharp; indeed so sharp, as to beg of his opponent to lay it aside, and take up a pistol; on the other hand, if I join with *No Ghost*, I have a pistol at my head, which may make a ghost of me. Thus circumstanced, I will not take either part, but offer myself as a friend to both, to measure the ground, give the word, and carry off the body of whichever shall fall in the field of honour. In this character I shall beg (previous to their engagement) to state a few points not yet decided between them, and which they have not yet carried far enough in discussion, to require the decision of powder and ball. Give me leave first (though I declare no prepossession in his favour) to compliment *Philo Veritatis*, the *advocate* for his Lordship's *courage*, on his own bravery, who, under a fictitious name, challenges with the utmost intrepidity to single and mortal combat, a nameless opponent. I should spend some time, and take some pains, to turn this compliment and make it worthy of him, but that I dare say he is sufficiently applauded already, by those to whom he has revealed himself, for such an unexampled piece of heroism.

Now, to my purpose: *Philo Veritatis* asserts, that his hero, lord Townshend, gave proofs of his *bravery* at Minden and Quebec. *No Ghost* denies the fact, upon the presumed impossibility of his transporting himself from one of these places to the other in the space of ten days, unless he could *fly*, and that very fast too. Now *flying* being a quality which *Philo Veritatis* does not chuse to ascribe (whatever belief it might gain with the public) to his hero, answers this in somewhat of a new way: 'This objection,' says he, 'has no weight, and is made only to introduce a scrap of Latin and a witticism.' This may be a very good answer at cross purposes; but is, I confess, a very whimsical one in the present case. Surely, Sir, this matter is not yet come so close to a point, as to require the arbitration of a pistol. Let *Philo Veritatis* again (for he has once already done it) affirm, that the hero was present at both actions; *No Ghost* denies it; *Philo* gives the lie; *No Ghost* knocks him down, and then the pistol enters as naturally as possible, and without the smallest breach of the rule which Horace has laid down on this occasion: *Nec Deus intersit, nisi dignus vindice nodus.*

No Ghost having denied that his Lordship was actually present at both places, *Philo* seems to fear lest we should doubt that he was at either: Minden he gives up; but being resolved to prove that he was at Quebec, he informs us that the brave captain Schomberg had the honour of conveying him up the Gulph of St Lawrence, where his Lordship *multiplied* his glory. These are the words. It is not my business to make remarks; but *Philo* will tell us where this multiplication table may be found; and I would recommend his Lordship to study it most attentively; he need go no further in this kind of arithmetic; the *next rule* will be quite unnecessary, as I presume no one will desire to *divide* with his Lordship. Now, if I guess right, the *No Ghost* will not deny that the brave *Schomberg* conveyed him up the gulph, and therefore this does not call very loudly for the pistol. Every one will acknowledge that lord Townshend was at Quebec; for every one remembers his letter from thence; and perhaps *Philo* can tell who the secretary was.

To this multiplication of glory *Philo* makes an *addition* of an anecdote, which, as he says, *occurred* to his Lordship in Germany; indeed, *occurred!* an anecdote occurred; a curious occurrence it was. First let us see the inference which *Philo* draws from, and then we shall relate the *occurrence* itself. It is, that the *humanity* of his *favourite* Lord (for such he is *proud* to own him) is established by it. The *occurrence* is, that a soldier being killed near, his brains were scattered upon his Lordship's clothes. A stander-by remarks, 'that this is terrible work.' 'True,' says his Lordship, 'but one would have thought this fellow had too much brains to be here.'——Reader, remark this, and if you doubt of his Lord-

ship's humanity, you are infidel enough to doubt of his courage. Well, he burst into tears: and who could chuse but weep at a sentiment of such tender, compassionate, and sympathizing humanity! No one, that I know of, can suppose these tears shed from that depression of spirits which the extremity of fear sometimes causes, and which finds some ease from an involuntary overflow at the eyes. Never had such humanity such a panegyrist; it does indeed deserve to be inscribed on *Adamantine pillars of eternal fame*, as *Philo* elegantly expresses it. Now as he is such an admirer of humanity in others, let me call on his own humanity not to avail himself of the assistance of a pistol on this occasion; as I will venture to answer for Mr *No Ghost*, that he will not take up the gauntlet which *Philo* has so bravely thrown down, offering him the choice of pen or pistol.——Alas, *Philo!* at the first of these weapons you are by no means, indeed you are not, a match for *No Ghost;* and for the use of the last, you might chance to be hanged, and thus unfortunately frustrate his Lordship's *humane* intentions of rewarding your courage with one of those pensions which he will *multiply* on the *Irish* establishment.

I am, &c.

MODERATOR.

LETTER VII.

FOR THE PUBLIC ADVERTISER.

22 *October*, 1767.

Grand Council upon the affairs of Ireland after eleven adjournments.[1]

Hill Street, 7th October, 1767.

PRESENT.

2 * Tilbury . . . fuddled.
† Judge Jefferyes.
‡ Caution . . . without foresight.
‖ Malagrida.
§ Boutdeville . . . sulky.

A chair left empty for the ¶ High Treasurer, detained by a hurry of business at Newmarket.

After a convenient time spent in staring at one another, up gets Tilbury.

Thus from my Lord his passion broke;
He ——— first, and then he spoke.

TILBURY.

In the name of the Devil and his dam, can anybody tell, what accident brings us five together?

CAUTION.

For my own part, my Lords, I humbly apprehend—though I speak with infinite diffidence—I say, my Lords, I will not pledge *my*self for the truth of my opinion—but I do humbly conceive with great submission—that we are met together with a view, and in order to consider whether it might not be advisable to give some instructions to this noble Lord for his government in Ireland, or whether we should leave the direction of his conduct to the same chance, to which, under our Sovereign Laird the Earl of Bute *(they all bow their heads)*, he owes his appointment. I may be mistaken, my Lords, but I—I—I—*looks round him, simpers, and sits down.*

TILBURY.

B——t me if I care whether he has any instructions or not. But who the Devil's to draw them up?

[1] This paper was announced in the Public Advertiser in the following words:—'The grand council upon the affairs of Ireland, after eleven adjournments, is come to hand, and shall have a place in our next.' To which was added by the printer himself:—'Our friend and correspondent C. will always find the utmost attention paid to his favours.' &c., as the reader must already have observed from the Preliminary Dissertation and Private Letters, was the secret mark in use between JUNIUS and the printer, to inform each other of the identity or receipt of communications. The present article, however, does not stand in need of this accidental proof of genuineness. Its internal evidence is sufficient without it: especially the identity of its style, and the peculiar nature of its political bearing.—EDIT.

[2] * The earl of Northington, president of the council.
† Earl Camden, lord chancellor.
‡ Mr Conway, northern secretary.
§ Lord Shelburne, southern secretary.
‖ Lord Townshend, lord-lieutenant of Ireland.
¶ Duke of Grafton, first lord of the Treasury.
—EDIT.

MALAGRIDA, *with a complacent smile.*

That's a task, my Lords, which I believe no man here is better qualified to execute than myself. Your Lordships well know that I am far from being vain of my talents; yet I believe I may affirm without presumption, that nature has done more for me, without any effort of my own, than other men usually derive from education and experience. My Lord Holland, who certainly had some reason to know me, has done me the honour to say that I was born a Jesuit, and that if all the good qualities which make the society of Jesus respectable, were banished from the rest of the earth, they would still find room enough in the bosom of *Malagrida*. His Lordship sagaciously observed, that mine was a sort of understanding more united with the heart than the head; and that my ideas of men and things depended not so much upon the improvement of my brain, as upon the original colour and consistence of my blood; consequently—But this is a seducing subject, upon which perhaps—I fear—I am too willing to expatiate. To return then to the noble Lord's instructions;—I should be happy to know what your Lordships' ideas are upon this most important question, that, when I have heard all your opinions, I may with greater decency follow my own.

TILBURY.

B—t me if I know anything of the matter.—*Falls asleep.*

CAUTION.

The very learned Lord who slumbers upon the sofa, having, with his usual candour, confessed his usual ignorance upon the arduous subject of our present debates, it may seem presumptuous in a man of my inferior qualifications, even to form, much more to deliver, any opinion upon it. For this reason, my Lords, although I venture to speak first, I shall take care not to hazard any thing decisive. I have already had the honour of giving instructions to governors; and, excepting my noble colleague, with whom I agree, that he owes as much to nature for the accomplishments of his mind, as for those of his person, I believe few men succeed better at the ambiguous. It is my forte, my Lords; —— I always contrive to leave the person I instruct at full liberty to act as he thinks proper, and entirely at his own peril. Positive instructions are too apt to endanger the safety of those who give them. Mine I am determined shall endanger nothing but the safety of the state. But since the noble Lord absolutely insists upon being instructed in some way or other, my friendship for him, which he may believe is full as sincere as what I felt for his brother—poor Charles ——[1] and art thou gone! —— so is my friendship; — I say, my Lords, since his Lordship can have no doubt about the warmth of my friendship for him, he may at all times rely upon my assistance and concurrence, and—and—it is unnecessary I believe to explain what —— *simpers at Sulky, and sits down.*

JUDGE JEFFERYES, *with dignity.*

My Lords, your Lordships know that the greatest part of my life has been dedicated to the study of the common and statute law of my country;—you will not wonder therefore at my appearing a strenuous advocate for the natural liberties of mankind, such as they possessed them before the existence of positive laws in this country, or any other. Now, my Lords, if I am not ill informed, the Irish are already in this desirable state of emancipation. By the most authentic accounts, they actually approach as near to a state of nature, as can be effected by the absence of all legal restraints; and for my own part—I will speak boldly, my Lords—I always do when the liberties of my fellow-subjects are in question———I never consider my own character in what I say either in council or parliament;———I think, that to give any positive instructions to a chief governor, might have the odious appearance of invad-

[1] The Hon. Charles Townshend, chancellor of the Exchequer, then lately dead.—EDIT.

ing the natural rights of the Irish. It is their claim, it is their birthright, my Lords, to talk without meaning, and to live without law. This is the sort of liberty which our ancestors fought for, and which every true Englishman ought to revere. God forbid, my Lords, that any thing done by a British council, should tend to the diminution of privileges, which the Irish justly think invaluable. Besides, my Lords, I have too much respect for the uncommon talents of the noble Lord himself, to wish to confine him by any opinions of ours. Let him but follow the dictates of his own genius, and I will venture to say, that the Irish will have no reason to envy the government of England ;—at least he may be assured of our hearty endeavours and concurrence to prevent any ill blood, upon that score, between the two nations.

SULKY, *in an attitude copied from Mr Sparkes.*[1]

I was quiet enough at Raneham, when I was told I was lord-lieutenant of Ireland. For a man to be told that he commands a kingdom or an army, when he dreams of no such matter, forms a situation too difficult for such a head as mine. My Lords, I speak from experience. Upon another occasion, indeed, I found the business done to my hand, by a person who shall be nameless. But alas! I find things in a very different condition at present. I perceive that I am no more a statesman than a general, and that my predecessor, instead of doing any thing himself, has only bequeathed to me the disgrace of not being able to perform what he was so vain or so simple as to promise.—Then to be left to my own guidance!—If my poor dear brother had lived, you would not have treated me so scurvily.—Surely your Lordships forget that these are a wild barbarous people, and how dangerous it is to trust to their respect for the person of a lord-lieutenant.—In short, my Lords, if you do not think proper to grant *them* a HABEAS CORPUS, at least grant *me* one, and as soon as possible. I shall never be easy until I find my body once more before you. In the mean time, I believe I had best follow my lord Bute's advice.

OMNES.

Lord Bute! It must be followed. What is it?

SULKY.

To carry over with me a battalion of gallant disinterested Highlanders, who, if there should be any disturbance, may take to their broad swords. Where plunder's to be had, they'll take to any thing. I have seen it tried with astonishing success: and sure never was a man in such a *taking* as I was.

CAUTION.

The expedient, I confess, is admirable; but pray, my Lord, how do you intend to provide for all these sweet-blooded children?

SULKY.

My secretary has got a list of the employments in Ireland, and assures me that I shall be able to provide for as many more.

JEFFERYES, *growing peevish and impatient.*

To conclude, my Lords. If what I have just now had the honour of throwing out should not be consistent with the noble Lord's ideas, or with his plan of government, he has my free consent to adopt a very different system. Instead of permitting the Irish to live without any law whatever, let him govern them by edicts from the castle. For my own part, I hate medium in government. I am all for anarchy, or all for tyranny. The Irish privy council are as good judges of the plea of necessity, and I dare say as ready to make use of it, as any other council. You have my authority and example, my Lord, in support of suspending powers; and provided you are a little

[1] A comedian, thus characterized in Churchill's Rosciad:

'Sparks at his glass sat comfortably down,
To sep'rate frown from smile, and smile from frown.'—EDIT.

cautious in the object of your first experiment, you may carry this wholesome maxim to as great a length in Ireland, as, with the blessing of God! *(turning up his eyes to heaven)* I intend to do here.

A dog barks, and wakens Tilbury, who starts up.

TILBURY.

Zounds, my Lord, do you keep bull-dogs in your house?

MALAGRIDA.

No, my Lord; it is but a mongrel. Your true English bull-dog never quits his hold; but this cur plays fast and loose, just as I bid him: he worries a man one moment, and fawns upon him the next.[1] But, my Lords, I hope you are not going away before I have finished my speech. It is a masterpiece, I'll promise you, and has cost me infinite labour to get by heart.

TILBURY.

No, damn me, 'tis a little too late, I thank you. *Aside:* This silly puppy takes me for his schoolmaster, and fancies I am obliged to hear him repeat his task to me. *Exit.*

CAUTION.

Pray spare me, my Lord; you know my friendship: I would stay to hear you if it were possible. *Aside:* I see this will never do; so I'll e'en try to renew with the Rockinghams. *Exit talking to himself.*

JEFFERYES.

Change of place, my Lord, as well as change of party, is the indefeasible right of human nature.[2] It is a part of the natural liberty of man, which I am determined to make use of immediately. *Exit.*

MALAGRIDA *to* SULKY.

Won't you hear me, my Lord?

SULKY.

It is unnecessary, my dear Lord. I see your meaning written in your face. *Aside:* What the Devil shall I do now? A sick man might as well expect to be cured by a consultation of quack doctors; they talk, and debate, and wrangle, and the patient expires. However, I shall at least have the satisfaction of drawing their pictures. I believe the best thing I can do will be to consult with my lord George Sackville. His character is known and respected in Ireland as much as it is here; and I know he loves to be stationed in the *rear* as well as myself. *Exit.*

MALAGRIDA *solus.*

What a negro's skin must I have, if this shallow fellow could see my meaning in my face! —— Now will I skulk away to ——, where I will betray or misrepresent every syllable I have heard, ridicule their persons, blacken their characters, and fawn upon the man who hears me, until I have an opportunity of biting even him to the heart. *Exit.*[3]

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[1] The person here alluded to, is the late Col. Barré.—EDIT.

[2] Lord Camden had been chief justice of the Common Pleas, was now chancellor, and was afterwards president of the council.—EDIT.

[3] A writer in the Public Advertiser, in a pretended real account of what passed at the council, having charged Mr Burke with being the author of this satire, and as the letters of JUNIUS were, during their publication, attributed to that gentleman, we shall extract such part of it as more immediately relates to him.

The council are supposed to have discussed the instructions to be given to the lord-lieutenant, and the lord president is then made to address them, as follows:

President.

If nothing further occurs to your Excellency, nor to you, my Lords, upon the present business, it will be time, I believe, for us to break up.

(As the Council are rising, a Secretary enters.)

Secretary.

My lords, there is a person without, who says he has business of a private nature, and earnestly desires to be admitted.

S. S.

Do you know who the man is? Are you acquainted with his person?

Secretary.

I am, my lord: but as he desires, in case your Lordships do not think fit to see him, that his visit may be kept a secret, I beg to be excused mentioning his name: I believe he is personally known to every one present.

LETTER VIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 31 *Oct.* 1767.

YOUR correspondent, who has furnished you with what he calls a true account of a grand council in Hill Street, does not appear to me to have done much service to his patrons. The former dialogue had at least some pleasantry (though not enough, I dare say, to draw a smile

Omnes.

Let him come in.

(*The Secretary goes out and returns, introducing a tall, ill-looking fellow, in a shabby black coat.*)

Lord President.

What are your commands with us, Mr Brazen?

Brazen.

The business, my Lords, that has brought me thus unexpectedly into your company, will, I am persuaded, excuse the unseasonableness of my intrusion. I flatter myself I am known, well known, to every one of your Lordships. My part has not been an obscure one: I may say, with the *sublimest* of all poets,

Not to know me, &c.

In short, my Lords, I think I have trode the public stage of the world with some degree of applause; with a pen that can blacken the whitest character, and a tongue that can *dash the maturest councils*, I hold myself equipped at all points for the offices of party. One in particular of this right honourable company can bear testimony to my performances.—What need of more words?

I have done the state some service, and they know it.

But, my Lords, to come to the point at once.—No man, I trust, in these times, serves the state for nothing; yet such has been my pride or folly (call it which you will), that I have got nothing for my pains but empty praise. Now, my Lords, this diet begins to grow too thin for my stomach. I must own I expected to have reaped good interest for my self-denial; but things have not come round as I looked for; the revolutions in government have not kept pace with those that have been made in my fortune; and the late unprosperous fatal negotiation has broken all my measures, and thrown me at length upon your Lordships' mercy, the humblest of your petitioners.

Lord President.

Will your Lordships have the patience to hear this prating fellow any longer?

Lord Camden.

Mr Brazen, you will please to contract your discourse as much as the matter will admit. A great deal that you have now been relating to us might, in my humble opinion, have been spared without any prejudice to your petition, or to your principles. If you have any real business, worthy being communicated to this company, we shall wish you to let us hear it without further preface.

Brazen.

I should have thought that your Lordship at least, in the course of your high office, had been more patient under circumlocution, than to correct me for the little I have now made use of; however, not to incur your displeasure, I will come at once to the point. Your Lordships see these two papers. This in my left hand, my Lords, contains the most important intelligence that was ever directed to ministers. It is, my Lords, the whole scheme and plan of opposition, which you are shortly to encounter, concerted, modelled, and digested, according to rules logical, metaphysical, and mathematical. It is the most *beautiful*, as well as the *sublimest*, system of politics, that ever sprung from the brain of man. I am here ready to consign it over to your Lordships, upon the terms and conditions annexed to it; and with it myself, my faith, my friendship, and my conscience.

Witness that here Iago doth give up
The execution of his wit, hands, heart,
To this great Council's service.

(*The whole of the Council rise at once, and the High Treasurer speaks.*)

High Treasurer.

My Lords, I see the indignation with which you receive this proposal, and the just contempt with which you are about to treat this most infamous proponent. But I beseech you, let what I shall now say to him serve for his dismission, and hold him unworthy of any further reply. We reject your offer, Sir, with the most consummate disdain. Unfaithful to your own party, we scorn to admit you into ours; and though the bounty of the council holds forth rewards for merit, we have neither the will nor the means to bribe and seduce a villain. Amongst those gentlemen, whom you thus offer to abandon, there are many for whose persons and characters we have the most absolute regard. Whatever their councils may be, and however hostile to our measures, we scorn to look into them by any indirect means. Friends to the liberties of our country, and protectors of its constitution, we wish not to destroy opposition by the force of corruption, we seek only to confute it by the prevalence of reason; every proposal that has the public welfare for its object, from whatever party it springs, shall have our support; and while we have truth and justice on our side, we have nothing to apprehend from opposition, though all your genius and (which is more) all your ill nature shall be drawn forth in its support.

from the parties concerned), and perhaps in marking the characters, a little too much truth. But this sorrowful rogue is too dull to be witty, and as for truth, I suppose it would neither suit his argument nor his disposition. His raillery upon a shabby black coat is indeed delicate to an extreme; but he forgets that wit and abilities have as little connexion with rich clothes as they have with great places, and that a man may wear a fine suit, or figure as a secretary of state, without a single grain of either. But, Sir, if facts asserted are notoriously false, the assertion of them can do no mischief; if notoriously true, they are beyond the reach of his wit, if he had any, to palliate, or of his modesty, which I think is upon a par with his wit, to deny.

Now, Sir, if I were not afraid of distressing him too much, I would ask him whether lord Townshend did not openly complain, only three days before his departure, that he could not, by the warmest solicitations, prevail on the ministry to agree upon any one system of instructions for him; that he was left entirely to himself; and that the ministry could not be persuaded to pay the smallest attention either to his situation, or to that of the country he was sent to govern. Did he not say this without reserve to every man he met, even in public court, and with all possible marks of resentment and disgust? I would advise your second correspondent not to deny these known facts; for if he does, I will assuredly produce some proofs of them, which will gall his patrons a little more than any thing they have seen already. Let one of them only recollect what sort of conversation very lately passed between him and the lord-lieutenant, how he was pressed, and how he evaded. But the facts, of which the public are already possessed, sufficiently speak for themselves, and the nation wants no further proof of the weakness, ignorance, irresolution, and spirit of discord, which reign triumphant in this illustrious divan, who have dared to take upon them the conduct of an empire.

One question more, and I have done. Did it become him, who has undertaken the defence of a whole ministry, to forget one of the principal characters of the piece? Why should he omit the dog? This mongrel, that barks, and bites, and fawns, has nevertheless a share in council, and, in the opinion of the best judges, cuts full as good a figure in it as his master.

Here, who waits *there*?—Oh charming antithesis! O polished language! and equally fit for the noble Lord who speaks, or for the footman who hears it.

LETTER IX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR PRINTER, 5 *Dec.* 1767.

THERE are a party of us who, for our amusement, have established a kind of political club. We mean to give no offence whatever to any body in our debates. The following is a mere *jeu d'esprit*, which I threw out at one of our late meetings, and is at your service, if you think it will afford the least entertainment to your readers.[1]

I am, &c.

Y. Z.

Brazen.

'Tis very well, my Lords; 'tis mighty well; you have rejected the olive branch, take then the sword.—This paper, my Lords, in my right hand, holds a mine that shall blow you into the air. It is a libel wrote in gall. Your present consultations are the subject; and every member here present shall have a seat, except I think fit to dispatch your unimportant Grace to Newmarket. For you, my Lord President, I shall characterize you under the name of Tilbury, because when that man kept an inn at Bagshot, you put up at his house. To my lord Camden, I shall bequeath the odious name of Jefferyes, by the old derivatory rule of *Lucus a non lucendo. Caution without foresight* shall be your title, Sir; and your noble colleague's, Malagrida; when I have thought of any reason for either, I may give it you. To your Excellency, by way of contrast, I decree the name of *Boutdeville*, or Sulky.

S. S.

Here; who waits there? Take this fellow and put him out of the house.

Exit BRAZEN *between two footmen.*

[1] As the debates in parliament were not allowed at this period to be given verbatim, they were

Mr President. The condition of this country, at the conclusion of the last spring, was such as gave us strong reason to expect, that not a single moment of the interval between that period and our winter meeting would be lost or misemployed. We had a right to expect, that gentlemen, who thought themselves equal to advise about the government of the nation, would, during this period, have applied all their attention, and exerted all their efforts, to discover some effectual remedy for the national distress. For my own part, I had no doubt that, when we again met, the committee would have been ready to lay before us some plan for a speedy relief of the people, founded upon such certain lights and informations as they alone are able to procure, and digested with an accuracy proportioned to the time they have had to consider of it: But if these were our expectations, if these were the hopes conceived by the whole society, how grievously are we disappointed! After an interval of so many months, instead of being told that a plan is formed, or that measures are taken, or, at least, that materials have been diligently collected, upon which some scheme might be founded for preserving us from famine; we see that this provident committee, these careful providers, are of opinion, they have sufficiently acquitted themselves of their duty, by advising the chair to recommend the matter once more to our consideration, and so endeavouring to relieve themselves from the burthen and censure which must fall somewhere, by throwing it upon the society. God knows in what manner they have been employed for these four months past. It appears too plainly they have done but little good;—I hope they have not been busied in doing mischief; and though they have neglected every useful, every necessary occupation, I hope their leisure has not been spent in spreading corruption through the people.

Sir, I readily assent to the laborious panegyric which the gentleman upon the lower bench has been pleased to make on a very able member of the committee, whom we have lately lost.[1] No man had a higher opinion of his talents than I had; but as to his having conceived any plan for remedying the general distress about provisions (as the gentleman would have us understand), I see many reasons for suspecting that it could never have been the case. If that gentleman had formed such a plan, or if he had collected such materials as we are now told he had, I think it is impossible but that, in the course of so many months,

usually detailed to the public under the guise of fictitious assemblies and opinions, through the medium of imaginary characters; and under this form the writer undertakes to canvass the measures of government, on the opening of the session of parliament in November, 1767. Whether the printer was aware that the speech here detailed was actually spoken by Mr Burke on the particular occasion to which it refers, or conceived it to have been merely fictitious, is uncertain. Since the former edition of this work, however, was put to press, a gentleman, who still thinks Mr Burke to have been the author of the LETTERS of JUNIUS, and who means to give his opinions upon this subject to the public, has discovered that the speech is genuine, and was actually delivered; and that the words *committee*, *society*, *chair*, &c. are here substituted for those of *administration*, *house*, *majesty*, with such other variations as are necessary to give it its present character. A passage was suppressed in the original publication, which has now been added in a note to p. 359. That this speech was sent to the printer of the P. A. by JUNIUS, will appear obvious to the reader from its being thus announced for publication. 'C.'s favour is come to hand, and we think our paper much honoured by his correspondence. He may be assured we shall take every possible means to deserve a continuance of it.'

The severity of the speech, however, whether conceived at that time to be genuine or fictitious, is so pointed, that the printer was half afraid to insert it, and the next day made the following apology for its non-appearance. 'We most heartily wish to oblige our valuable correspondent C., but his last favour is of so delicate a nature, that we dare not insert it, unless we are permitted to make such changes in certain expressions, as may take off the immediate offence, without hurting the meaning.'

This request appears to have been complied with: and hence, possibly, is to be attributed the turn given to the speech, as it appeared in the Public Advertiser.—EDIT.

[1] The Right Honourable Charles Townshend, chancellor of the Exchequer, who died Sept. 4th, 1767, and was succeeded in that office by lord North, the chief justice of the K. B. having, in virtue of his office, held the seals for a few days only.—EDIT.

some knowledge or intimation of it must have been communicated to the gentlemen who acted with him, and who were united with him not less by friendship than by office. He was not a reserved man, and surely, Sir, his colleagues, who had every opportunity of hearing his sentiments in the committee, in private conversation, and in this society, must have been strangely inattentive to a man, whom they so much admired, or uncommonly dull, if they could not retain the smallest memory of his opinions on matters on which they ought naturally to have consulted him often. If he had even drawn the loosest outlines of a plan, is it conceivable that all traces of it should be so soon extinguished? To me, Sir, such an absolute oblivion seems wholly incredible. Yet admitting the fact for a moment, what an humiliating confession is it for a committee, who have undertaken to advise about the conducting of an empire, to declare to this society, that by the death of a single man, all projects for the public good are at an end, all plans are lost, and that this loss is irreparable, since there is not a leader surviving, who is in any measure capable of filling up the dreadful vacuum!

But I shall quit this subject for the present, and as we are to consider of an answer in return to the advice from the chair, I beg leave to mention some observations occurring to me upon the advice itself, which I think I am warranted, by the established practice of this society, to treat merely as the advice of the foreman of the committee.[1]

The chief and only pretended merit of the present advice is, that it contains no extraordinary matter, that it can do no harm, and consequently that an answer of applause upon such advice, is but a mere compliment to the chair, from which no inconvenience can arise, nor consequence be drawn. Now, Sir, supposing this to be a true representation of the advice, I cannot think it does the committee any great honour, nor can I agree, that to applaud the chair for such advice would be attended with no inconvenience. Although an answer of applause may not enter into the approbation of particular measures, yet it must unavoidably convey a general acknowledgment, at least, that things are, upon the whole, as they should be, and that we are satisfied with the representation of them which we have received from the chair. But this, Sir, I am sure would be an acknowledgment inconsistent with truth, and inconsistent with our own interior conviction, unless we are contented to accept of whatever the committee please to tell us, and wilfully shut our eyes to any other species of evidence.

As to the harmlessness of the advice, I must, for my own part, regret the times when advices from the chair deserved another name than that of innocent; when they contained some real and effectual information to this society,—some express account of measures already taken, or some positive plan of future measures, for our consideration. Permit me, Sir, to divide

[1] The following are the passages in the king's speech more immediately alluded to in this pretended discussion of it.

'Nothing in the present situation of affairs abroad gives me reason to apprehend that you will be prevented by any interruption of the public tranquillity, from fixing your whole attention upon such points as concern the internal welfare and prosperity of my people.

'Among these objects of a domestic nature, none can demand a more speedy or more serious attention, than what regards the high price of corn, which neither the salutary laws passed in the last sessions of parliament, nor the produce of the late harvest, have yet been able so far to reduce, as to give sufficient relief to the distresses of the poorer sort of my people. Your late residence in your several counties must have enabled you to judge whether any further provisions can be made, conducive to the attainment of so desirable an end.

'The necessity of improving the present general tranquillity, to the great purpose of maintaining the strength, the reputation, and the prosperity of this country, ought to be ever before your eyes. To render your deliberations for that purpose successful, endeavour to cultivate a spirit of harmony among yourselves. My concurrence in whatever will promote the happiness of my people, you may alway depend upon: and in that light, I shall be desirous of encouraging union among all those who wish well to their country.'—EDIT.

the present advice into three heads, and a very little attention will demonstrate how far it is from aiming at that spirit of business and energy, which formerly animated the advice from the chair: You will see, under this division, that the small portion of matter contained in it is of such a nature, and so stated, as to preclude all possibility or necessity of deliberation in this place. The first article is, that everything is quiet abroad. The truth of this assertion, when confirmed by an enquiry, which I hope this society will make into it, would give me the sincerest satisfaction; for certainly there never was a time when the distress and confusion of the interior circumstances of this nation made it more absolutely necessary to be upon secure and peaceable terms with our neighbours: But I am a little inclined to suspect, and indeed it is an opinion too generally received, that this appearance of good understanding with our neighbours deserves the name of stagnation rather than of tranquillity; that it is owing not so much to the success of our negotiations abroad, as to the absolute and entire suspension of them for a very considerable time. Consuls, envoys, and ambassadors, it is true, have been regularly appointed, but, instead of repairing to their stations, have, in the most scandalous manner, loitered at home; as if they had either no business to do, or were afraid of exposing themselves to the resentment or derision of the court to which they were destined. Thus have all our negotiations with Portugal[1] been conducted, and thus have they been dropped. Thus hath the Manilla Ransom, that once favourite theme, that perpetual echo with some gentlemen, been consigned to oblivion. The slightest remembrance of it must not now be revived. At this rate, Sir, foreign powers may well permit us to be quiet; it would be equally useless and unreasonable in them to interrupt a tranquillity, which we submit to purchase upon such inglorious terms, or to quarrel with an humble, passive government, which hath neither spirit to assert a right, nor to resent an injury. In the distracted, broken, miserable state of our interior government, our enemies find a consolation and remedy for all that they suffered in the course of the war, and our councils amply revenge them for the successes of our arms.

The second article of the advice contains a recommendation of what concerns the dearness of corn, to our immediate and earnest deliberation. No man, Sir, is more ready than myself, as an individual, to show all possible deference to the respectable authority under which the advice from the chair is delivered; but as a member of this society, it is my right, nay, I must think myself bound to consider it as the advice of the foreman of the committee; and, upon this principle, if I would understand it rightly, or even do justice to the text, I must carry the foreman's comment along with me. But what, Sir, has been the comment upon the recommendation made to us from the chair? Has it amounted to any more than a positive assurance that all the endeavours of the committee, to form a plan for relieving the poor in the article of provisions, have proved ineffectual? That they neither have a plan, nor materials of sufficient information, to lay before the society, and that the object itself is, in their apprehensions, absolutely unattainable. If this be the fact, if it be really true that the foreman, at the same time that he advises the chair to recommend a matter to the earnest deliberation of the society, confesses in his comment that this very matter is beyond the reach of this society, what inference must we necessarily draw from such a text, and from such an illustration? I will not venture to determine what may be the real motive of this strange conduct and inconsistent language; but I will boldly pronounce that it carries with it a most odious appearance.[2] * * * * * * *

[1] The words 'with Portugal' are not in the genuine speech.—EDIT.

[2] The following is the passage suppressed at this place, and intimated to be suppressed by the asterisms. It is extracted from the genuine speech of Mr Burke, as given in Almon's De-

With respect to the third and last head, into which the advice may be divided, I readily agree that there is a cause of discord somewhere ; where it is I will not pretend to say. That it does exist is certain ; and I much doubt whether it is likely to be removed by any measures taken by the present committee. As to vague and general recommendations to us to maintain unanimity amongst us, I must say I think they are become of late years too flat and stale to bear being repeated : that such are the kind sentiments and wishes of our chairman, I am far from doubting ; but when I consider it as the language of the foreman, as a foreman's recommendation, I cannot help thinking it a vain and idle parade of words without meaning. Is it in their own conduct that we are to look for an example of this boasted union ? Shall we discover any trace of it in their broken, distracted councils, their public disagreements and private animosities. Is it not notorious that they only subsist by creating divisions among others ? That their plan is to separate party from party ? friend from friend ? brother from brother? Is not their very motto *Divide et impera ?* When such men advise us to unite, what opinion must we have of their sincerity ? In the present instance, however, the advice is particularly farcical. When we are told that affairs abroad are perfectly quiet, and consequently that it is unnecessary for us to take any notice of them ; when we are told that there is indeed a distress at home, but beyond the reach of this society's councils to remedy ; to have unanimity recommended us in the same breath, is, in my opinion, something lower than ridiculous. If the two first propositions be true, in the name of wonder, upon what are we to debate ? Upon what is it possible for us to disagree ? On one point our advice is not wanted ; on the other it is useless : but it seems it will be highly agreeable to the committee to have us unite in approving of their conduct ; and if we have concord enough amongst ourselves to keep in unison with them and their measures, I dare say that all the committee's purposes, aimed at by the recommendation, will be fully answered, and entirely to their satisfaction. But this is a sort of union which I hope never will, which I am satisfied never can, prevail in a free society like ours. While we are freemen, we may disagree ; but when we unite upon the terms recommended to us by the committee, we must be slaves.

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bates for 1767, Vol. IV. pp. 506, 507. Lond. Ed. 1792.

[1] It has too much the air of a design to exculpate the crown, and the servants of the crown, at the expense of parliament. The gracious recommendation in the speech will soon be known all over the nation. The comment and true illustration added to it by one of the ministry will probably not go beyond the limits of these walls. What then must be the consequence ? The hopes of the people will be raised. They of course will turn their eyes upon us, as if our endeavours alone were wanting to relieve them from misery and famine, and to restore them to happiness and plenty ; and at last, when all their golden expectations are disappointed, when they find that notwithstanding the earnest recommendation from the crown, parliament has taken no effectual measures for their relief, the whole weight of their resentment will naturally fall upon us their representatives. We need not doubt but the effects of their fury will be answerable to the cause of it. It will be proportioned to the high recommending authority, which we shall seem not to have regarded ; and when a monarch's voice cries havock, will not confusion, riot, and rebellion make their rapid progress through the land ? The unhappy people, groaning under the severest distress, deluded by vain hopes from the throne, and disappointed of relief from the legislature, will, in their despair, either set all law and order at defiance ; or, if the law be enforced upon them, it must be by the bloody assistance of a military hand. We have already had a melancholy experience of the use of such assistance. But even legal punishments lose all appearance of justice, when too strictly inflicted on men compelled by the last extremity of distress to incur them. We have been told, indeed, that if the crown had taken no notice of the distress of the people, such an omission would have driven them to despair ; but I am sure, Sir, that to take notice of it in this manner, to acknowledge the evil, and to declare it to be without remedy, is the most likely way to drive them to something beyond despair, to madness ; and against whom will their madness be directed, but against their innocent representatives ?'—EDIT.

LETTER X.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *Dec.* 1767.

IF there be any man in this country, who thinks that the combination lately entered into at Boston, is merely a matter of interior economy, by which we are either not essentially affected, or of which we have no right to complain, I may safely pronounce, that that man knows nothing of the condition of the British commerce, nor of the condition of the British finances. It might be happy for us, if we were all in the same state of ignorance. To foresee a danger, when every chance of avoiding it hath been wilfully cut off, is but a painful and useless sagacity, and to shut our eyes to inevitable ruin, serves at least to keep the mind a little longer in a thonghtless security.

In this way I imagine any man must reason, who is insensible of the consequence of the successive enterprises of the colonies against Great Britain, or who beholds them with indifference. I will not suppose that the bulk of the British people is sunk into so criminal a state of stupidity ; that there does exist a particular set of men, base and treacherous enough to have enlisted under the banners of a lunatic,[1] to whom they sacrificed their honour, their conscience, and their country, in order to carry a point of party, and to gratify a personal rancour, is a truth too melancholy and too certain for Great Britain. These were the wretched ministers, who served at the altar, whilst the high priest himself, with more than frantic fury, offered up his bleeding country a victim to America. The gratitude of the colonies shows us what thanks are due to such men. They will not even keep measures with their friends ; for they hate the traitors, though the treachery hath been useful to them. The colonies are even eager to show that they regard the interests of the men (who to serve them gave up every thing that men ought to hold dear, except their places) as little as they do the interests of their mother country, and will not comply so far with the promising engagements made for them here, as even to conceal their malignant intentions until their friends are out of place. Such is the certain effect of conferring benefits upon an American.

Whatever has been hitherto the delusion of the public upon this subject, I fancy we are by this time completely undeceived. Our good friends in America have been impatient to relieve us from all our mistakes about them and their loyalty, and if we do not open our eyes now, we had better shut them for ever.

It would be to no purpose at present to renew a discussion of the merits of the Stamp Act, though I am convinced that even the people who were most clamorous against it, either never understood or wilfully misrepresented every part of it. But it is truly astonishing that a great number of people should have so little foreseen the inevitable consequence of repealing it, and particularly that the trading part of the city should have conceived that a compliance, which acknowledged the rod to be in the hand of the Americans, could ever induce them to surrender it. They must have been rather weaker than ourselves, if they ever paid their debts, when they saw plainly that, by withholding them, they kept us in subjection. In the natural course of things the debtor should be at the mercy of his creditor, rather than a tyrant over him ; but it seems that for these three years past, wherever America hath been concerned, every argument of reason, every rule of law, and every claim of nature, has been despised or reversed. We have not even a tolerable excuse for our folly. The punishment has followed close upon it ; and that it must be so was as evident to common sense, as probable in prospect, as it is now certain in experience. There was indeed one man, who wisely foresaw every circumstance which has since happened, and who,

[1] Lord Chatham.—EDIT.

with a patriot's spirit, opposed himself to the torrent.[1] He told us, that, if we thought the loss of outstanding debts, and of our American trade, a mischief of the first magnitude, such an injudicious compliance with the terms dictated by the colonies, was the way to make it sure and unavoidable. It was *ne moriare, mori*. We see the prophecy verified in every particular, and if this great and good man was mistaken in any one instance, it was, perhaps, that he did not expect his predictions to be fulfilled so soon as they have been.

This being the actual state of things, it is equally vain to attempt to conceal our situation from our enemies, as it is impossible to conceal it from ourselves. The taxes and duties necessarily laid upon trade, in order to pay the interest of a debt of one hundred and thirty millions, are so heavy, that our manufactures no longer find a vent in foreign markets. We are undersold and beaten out of branches of trade, of which we had once an almost exclusive possession. The progress towards a total loss of our whole foreign trade has been rapid ; the consequence of it must be fatal. We had vainly hoped that an exclusive commerce with our colonies (in whose cause a great part of the very incumbrances, which have destroyed our foreign trade, were undertaken) would have rewarded us for all our losses and expense, and have made up any deficiency in the revenue of our customs. We had a right to expect this exclusive commerce from the gratitude of the Americans, from their relation to us as colonists, and from their own real interest, if truly understood. But unfortunately for us, some vain, pernicious ideas of independence and separate dominion, thrown out and fomented by designing seditious spirits in that country, and encouraged and confirmed here by the treachery of some and the folly of others, have cut off all those just hopes, those well-founded expectations. While we are granting bounties upon the importation of American commodities, the grateful inhabitants of that country are uniting in an absolute prohibition of the manufactures of Great Britain. To doubt that the example will be followed by the rest of the colonies, would be rejecting every evidence which the human mind is capable of receiving. To be mad is a misfortune, but to rave in cold blood is contemptible.

The enterprises of the Americans are now carried to such a point, that every moment we lose serves only to accelerate our perdition. If the present weak, false, and pusillanimous administration are suffered to go on in abetting and supporting the colonies against the mother country, if the king should take no notice of this last daring attack upon our commerce, the only consequence will be that the contest, instead of being undertaken while we have strength to support it, will be reserved not for our posterity, but to a time when we ourselves shall have surrendered all our arms to the people, with whom we are to contend ;—nor will that period be distant.

If the combination at Boston be not a breach of any standing law (which I believe it is), ought it not to be immediately declared so, by an act of the legislature? It is true, that private persons cannot be compelled to buy or sell against their will ; but unlawful combinations, supported by public subscription and public engagements, are and ought to be subject to the heaviest penalties of the law. I shall only add, that it is the common cause of this nation ; and that a vigorous and steady exertion of the authority of Great Britain would soon awe a tumultuous people, who have grown insolent by our injudicious forbearance, and trampled upon us, because we submitted to them.[2]

[1] Mr George Grenville.—EDIT.

[2] This letter was without a signature, and could not, therefore, be announced, but was thus noticed on the day previous to its publication. 'C.'s favour is come to hand.' For a further continuation of this subject, see Miscellaneous Letters, Nos. XXIX. and XXXI.—EDIT.

LETTER XI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR WOODFALL, 22 *Dec.* 1767.

YOUR correspondent of yesterday, Mr Macaroni,[1] in his account of the new ministerial arrangements, has thrust in a laboured bombast panegyrick on the earl of Chatham; in which he tells us, 'that this country owes more to him than it can ever repay.' Now, Mr Woodfall, I entirely agree with Mr Macaroni, that this country *does* owe more to lord Chatham than it can ever repay; for to *him* we OWE the greatest part of our national debt; and THAT I am sure we never can repay. I mean no offence to Mr Macaroni, nor any of your *gentlemen* authors, who are so kind to give *us* citizens an *early* peep behind the political curtain, but I cannot bear to see so *much* incense offered to an Idol,[1] who so *little* deserves it.

I am yours, &c.

DOWNRIGHT.

LETTER XII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 16 *February*, 1768.

A MINISTER, who in this country is determined to do wrong, should not only be a man of abilities but of uncommon courage. To invade the rights or to insult the understanding of a nation, qualified to judge well, and privileged to speak freely, upon public measures, requires a portion of audacity unacquainted with shame, or of power which knows no controul. Whether it be owing to a hardy disposition, or to the conceit of unlimited power, or to mere solid ignorance I know not, but it is too apparent that the present ministry, in every thing they do, or attempt to do, are determined to set the understanding and the spirit of the English people at defiance. In a succession of illegal or unconstitutional acts, the instance of to-day ought at once to remind us of what they have done already, and to alarm us against what they may attempt hereafter. We have reason to thank God and the legislature, that some of the most flagitious of their enterprises have been happily defeated. Their endeavour to establish a suspending power in the crown met with all the contempt it deserved;[3] nor have they yet quite succeeded in emancipating the colonies from the authority of the British legislature. But when open and direct attacks upon the constitution have failed, a bad ministry will naturally have recourse to some more artful measures, by which the prerogative of the crown may be extended, and the purposes of arbitrary power answered as effectually, and more securely to themselves. When attempts of this insidious nature are made, it is the duty of every subject, be his situation what it may, to point out the danger to his countrymen, and warn them to guard against it. I shall take another opportunity to enquire into the legality of the appointment of a third secretary of state: at present let me be permitted to rouse the attention of the public to a later and to a still more flagrant stretch of prerogative. A prostitution or corruption of old offices may be as fatal to the constitution, as the illegal creation of new ones. In the Gazette of Saturday se'nnight we are informed, that the privy seal is committed to the care of three persons, whose commission is to continue six weeks.[4] From the names of

[1] This writer had furnished the printer with a list of the supposed changes in administration.—EDIT.

[2] See the conclusion of Miscellaneous Letter, No. IV. and Private Letter, No. 23, in which the same term is applied to lord Chatham.—EDIT.

[3] See this subject further discussed in Letter LX.—EDIT.

[4] *Whitehall, Feb.* 2. The king has been pleased to issue his commission under the great seal, authorizing and empowering Richard Sutton, William Blair, and William Frazer, esqrs., or any two of them, to execute the office of keeper of his Majesty's privy seal, for and during the space and term of six weeks, determinable nevertheless at his Majesty's pleasure: and also to grant, during his Majesty's pleasure, to

these persons we can collect nothing, but that two of them are of Scottish extraction, and that the third is recorder of St Alban's; but from their insignificance and obscurity we may easily collect, that there is some particular design in fixing on such persons to execute one of the first offices of the state. Why the earl of Chatham should continue to hold an employment of this importance, while he is unable to perform the duties of it, is at least a curious question.[1] But it is infinitely more material to enquire why the interregnum is not committed to people of a higher rank and character.

The establishment of the several high offices of state forms a natural and constitutional check upon the prerogative of the crown. No illegal or unconstitutional grant, charter, or patent of any kind, can take effect from the mere motion of the sovereign, but must pass through a number of offices, in each of which it is the duty of the officer, if the case requires it, to remonstrate to the crown, as he himself is answerable for the consequences of any public instrument, which he has suffered to pass through his department. The delay of this progression has another good effect, in giving the subject time and opportunity to enter his protest against any sudden or inconsiderate grant, by which his own property, or the welfare of the country in general, may be affected, and to have the matter fairly discussed.

The precedence annexed to these high offices (exclusive of the importance of the several degrees of trust reposed in them) sufficiently proves that they ought to be confined to men of the first character and consequence. Men of that degree may safely be trusted, because they have a greater stake to hazard, and are answerable to the public with their lives and fortunes. The dignity of the lord privy seal's office (next in rank to the president of the council) would of itself be a sufficient reason for giving it to none but men of birth and character, and the great trust, annexed to that dignity, is a further reason for never committing such an office to any but men of the first rank and fortune. But in the choice of the present commissioners, there seems to be something particularly and singularly improper. When a caveat is entered against a grant from the crown, and when a question of political and commercial importance is therefore to be discussed, can there be a higher insult to the public than to commit the determination of such a question to three persons very low in point of rank, and absolutely dependent in point of situation? Shall we not be justified in supposing that they are elected for no other quality but their insignificance? Whatever pretences may be alleged to the contrary, the public will have too much reason to suspect that these worthy commissioners are taught their lesson, and that the job is too dirty to be imposed upon gentlemen of a higher station than a clerk in office. I cannot believe that these persons could have been chosen by the earl of Chatham. Whatever may be his faults, a man of spirit could no more lend his office than he could his mistress to the purposes of prostitution; much less would he de-

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the right honourable William earl of Chatham, the said office of keeper of his Majesty's privy seal, from and after the said term of six weeks, or other sooner determination of the said commission.—EDIT.

[1] We have here another proof of the hostility of JUNIUS at one period to this nobleman, a previous proof having already occurred in the Miscellaneous Letter, No. I., p. 341, to the note appended to which we refer the reader.

In the Private Letter, No. 23, dated October 19, 1770, he still insinuates his dislike: for in requesting the printer of the Public Advertiser to contradict his being the author of the letters subscribed *A Whig and an Englishman*, he adds, 'I neither admire the writer *nor his idol*.' Who the writer of these letters was we know not: but the *idol* was certainly lord Chatham.

In reality it was not till about the date of Letter LIV., under his favourite signature of JUNIUS, that he began to think commendably of this nobleman. 'I am called upon,' says he, in that letter, 'to deliver my opinion, and surely it is not in the little censure of Mr Horne, to deter me from doing signal justice to a man, *who, I confess, has grown upon my esteem*.' See p. 294.—EDIT.

scend to take either of them back again with a public mark of infamy upon them.

Now, Sir, let us suppose these three respectable persons seated upon their tribunal, with two judges of England by their side, and the first lawyers of this country pleading before them upon a question of the first importance to this country; the judges, I doubt not, will sit in silent wonder at the judicial abilities of these great men, and silent they must be, unless a point of law should arise, on which the triumvirate shall deign to ask their opinion; the lawyers will naturally exert their utmost efforts, when they consider that they have the honour to plead before three gentlemen of such profound knowledge, such distinguished rank, and such inflexible probity, that neither ignorance, nor ministerial influence, nor private corruption, can have any share in their decision.

I pity the unhappy Englishman, for he perhaps may blush for his situation.

LETTER XIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

24 *February*, 1768.

Fluctus uti primo cœpit cum albescere vento,
Paullatim sese tollit mare, & altius undas,
Erigit, inde imo consurgit ad æthera fundo.
VIRG. ÆN. VII. 528.

SIR,

THE people of England are by nature somewhat phlegmatic. This complexional character is extremely striking, when contrasted with the suddenness and vivacity of many of our neighbours on the continent. It even appears remarkable among the several kindred tribes, which compose the great mass of the British empire. The heat of the Welch, the impetuosity of the Irish, the acrimony of the Scotch, and the headlong violence of the Creolians, are national temperaments very different from that of the native genuine English.

This slowness of feeling is in some respects inconvenient; but, on the whole view of life, it has, I think, the advantage clearly on its side. Our countrymen derive from thence a firmness, an uniformity, and a perseverance in their designs, which enables them to conquer the greatest difficulties, and to arrive at the ultimate point of perfection in almost everything they undertake.

Their slowness to passion has also another advantage. No wise man will lightly venture to do them a real injury. Their anger is not suddenly kindled, nor easily extinguished; it is dark and gloomy; it is nourished to a gigantic size and vigour, under a silent meditation on their wrongs, until at last it arrives at such a mature and steady vehemence, as becomes terrible indeed. It was on a consideration of this kind of character, that a great poet says with a singular emphasis—'Beware the fury of a patient man.'

It is surprising how much this character is exemplified in every part of our history. The long patience, amounting almost to tameness, with which the people of England have borne the outrages of evil ministers, has only been equalled by the irresistible force by which they attacked, and the unrelenting severity with which they finally punished, the authors of their great grievances.

I wish with all my heart that our time may furnish no such examples: and yet I confess, my fears are excited by appearances that are sufficiently alarming. The people of England have seen an administration formed, almost avowedly, under the direction of a dangerous, because private and unresponsible, influence; and at the same time with an outward presidency of ministerial despotism, which by its very nature annihilated all public council. This they endured. They saw a course of the most scandalous and corrupt profusion of public money that ever was known in the kingdom, attended with such a neglect of every public duty, as if an experiment was intended, to try how far the state could subsist by its own strength, without any of

the usual aids of active government. The people of England bore this likewise.

They saw the very first opportunity laid hold on to revive the doctrines of a dispensing power, state necessity, arcana of government, and all that clumsy machinery of exploded prerogative, which it had cost our ancestors so much toil, and treasure, and blood, to break to pieces. This we suffered with our usual patience. They saw an attempt made to render all the monied property of the kingdom loose and insecure, and to turn our national funds from being supports of public credit into instruments of ministerial power, and to take away that dependence upon law which had been in all ages the great source of our domestic happiness, and that firm reliance upon public faith which has been the means of making us respectable to all the world. The Englishman still continued sullen and silent.

Those very circumstances which strike terror into the heart of a wise man, are often such as inspire fools with confidence and presumption. Having had sufficient proof as they thought of the passive disposition of their fellow-citizens, and at a loss for precedents of despotism of a modern date in any civilized country, they began to ransack the stores of antiquated oppression, and ventured to perpetrate an act (by a singular composition) of such consummate audacity and meanness of spirit, as it might well be thought impossible to unite.

In subserviency to the odious influence under which they act, this administration dared—to an informer nearly allied to that very influence[1]—at the time, and for the purposes of an election—refusing to hear counsel—not daring to take the opinion of the king's law servants—denying access to the records in their possession—to pass a grant of the estate of a noble and most respectable person, derived from a king to whom we owe all our liberties; sixty-three years in undisputed possession, the subject of frequent settlements, and now actually a part of the jointure of the noble Duchess.[2]

The people of England at length began to break silence. They might indeed look upon the private wrong as a matter of inward meditation, and a further exercise of their patience. But the principle of this grant has given a SHOCK TO THE WHOLE LANDED PROPERTY OF ENGLAND.

Called upon by this practical menace to all landed property, and by many other detached grievances, arising from the same absurd and tyrannical principle, *that no length of possession secures against a claim of the crown*, one of the ablest, most virtuous, and most temperate men in the kingdom, supported by a steady band of uniform patriots, has made an attempt in a certain great assembly (without providing any remedy for this case of oppression), to secure the subject at least for the future against such wild and indefinite claims.

Such was the spirit which manifested itself upon that occasion, that though for the present, after a glorious struggle, they have failed, there is no sort of doubt that the cry of reason, justice, policy, and the general feeling of the people, will shortly prevail;[3] and the rather, as this discussion has brought to light further designs of the most extraordinary nature, and such as will, if not timely prevented, spread distraction from one end of the kingdom to the other. My next will be on that important subject.

MNEMON.

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[1] The informer was the late earl of Lonsdale, at that time sir James Lowther, who had married a daughter of lord Bute, whose *influence* is here alluded to. The estate belonged to the duke of Portland. See Letter LVII., p. 300, note.—EDIT.

[2] Duchess of Portland.—EDIT.

[3] By a bill called the Quieting Bill, and which was again brought forward by sir G. Savile in the following year, and carried. But see the subject further elucidated, and the final determination of the Court of Exchequer on the suit depending between sir James Lowther and the duke of Portland, in the editor's note to JUNIUS'S Letters, No. LVII., p. 300, as also No. LXVII., p. 324.—EDIT.

LETTER XIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

4 *March*, 1768.

Oh, wretched State! Oh Bosom black as Death!
Oh limed Soul, that, struggling to be free,
Art more encaged.

SHAKESPEARE.

SIR,

INNOCENCE, even in its crudest simplicity, has some advantages over the most dexterous and practised guilt. Equivocal appearances may, to be sure, accidentally attend it in its progress through the world; but the very scrutiny which these appearances will excite, operates in favour of innocence; which is secure the moment it is discovered. But guilt is a poor helpless, dependent being. Without the alliance of able, diligent, and, let me add, fortunate fraud, it is inevitably undone. If the guilty culprit be obstinately silent, his silence forms a deadly presumption against him. If he speaks, talking tends to discovery; and his very defence often furnishes materials towards his conviction.

This has been exactly the case of those unhappy men (the ministry), in that apology for their conduct, which they chose to complicate with their opposition to the settlement of the national property. Nobody, not originally acquainted with the bottom of their proceedings, was able to discern the true nature and full extent of their crime, until we had seen upon what principles they grounded their defence.

It is worth while to lay this affair a little more open. The maxim of *Nullum Tempus occurrit Regi*,[1] that *no length of continuance, or good faith of possession, is available against a claim of the crown*, has been long the opprobrium of prerogative, and the disgrace of our law. The ablest writers in that profession have ever mentioned it with abhorrence. The best judges have always cast an odium upon it, as being fundamentally contrary to natural equity, and all the maxims of a free government. And a superior genius, a great light of the age,[2] has not long since endeavoured to give it as great a check as judicature, unaided by legislative powers, is able to interpose.

The truth is, this prerogative has hitherto owed its existence principally to its disuse. It was an engine, at once so formidable to the people, and so dangerous to those who should attempt to handle it, that it never was considered amongst the instruments of a *wise minister*. It remained like an old piece of cannon, I have heard of somewhere, of an enormous size, which stood upon a ruinous bastion, and which was seldom or never fired for fear of bringing down the fortification for whose defence it was intended.

But constituted as administration is at present, where real power is invested in one hand, and responsible office placed in another, from the security of the former situation, and from the servile dependance of the latter, it is no wonder that hazardous measures should be commanded without fear, and that they should be executed, though with the utmost trepidation and reluctance. From thence arose that desperate proceeding which has given such an universal alarm to property.

Upon the first attack on that rotten part of prerogative (out of whose corruption the late northern grant was generated) the ministers found themselves entirely at a loss. To defend their *Nullum Tempus* upon principles of liberty, or even upon principles of justice, was a thing clearly impossible. To abandon it without reflecting on their past conduct, and without giving up their future projects, was a point of equal difficulty. It seems that they had hoarded up those unmeaning powers of the crown, as a grand military magazine, towards the breaking the fortunes and depressing the spirit of the nobility, for drawing the common people from their reliance on

[1] The commencement of the obsolete law which in this case was appealed to by the minister: hence called the Nullum Tempus Law.—EDIT.

[2] Sir George Savile.—EDIT.

the natural interests of the country to an immediate dependance on the crown, and principally for enabling ministers, public or secret, to domineer and give the law in all future elections. They thought their scheme would then be complete, if the votes of freeholders, the very means which our ancestors had provided as the great security to our freedom, could be converted into the most certain instruments of the public servitude.

It was evident, that when they refused to give up this barbarous maxim, it was their intention to make some sort of use of it. Such a conclusion could not in any way be evaded. In this strait they took the part of avowing, that they did intend to find some employment for their favourite prerogative, which, after so long a trance, they had thought proper to disenchant, and to set in action. It was then their business to find some excuse for themselves, and some pretence of public utility for their system.

On this occasion they built upon two grounds very well worthy of the reader's utmost attention: the first I shall now point out; the latter, and most important, would transgress the limits of your paper. It shall be reserved for another opportunity.

The first thing they did, was totally to disclaim their own *free agency*. In the highest department of the state, they declared themselves to be mere creatures of execution. They asserted, that they were in all matters of this sort entirely subservient to an officer, hitherto little heard of, but from henceforth to be a name of dreadful note in this country, THE SURVEYOR-GENERAL. It is their system, that if *informers* (be they who they may, in circumstances of indigence to make any desperate attempt, or of wealth and power to combat the great, and crush the poor) can contrive to obtain the surveyor's report in their favour, ministers are *obliged*, without further inquiry, to grant to them patents to vex, harass, impoverish, possibly to ruin, any honest proprietor in the kingdom.

It is true that they supported themselves in this perverse doctrine by no one argument from law, usage, or common sense: but it is their system; and it is mentioned here, not to show the depth of their understanding, but the malignity of their designs. For if once they could come to establish this their favourite point, things would stand thus:—The *surveyor-general*, who keeps all the crown titles (*inaccessible to the subject*), has a hint to find a weak part in some old possession; say of sixty, say of two hundred years. A court *favourite* has a hint to become an informer, a character no way incompatible with his own. Then all the rest follows of course. The lords of the Treasury *must* obey the informer, and make the reference; the surveyor *must* obey the Treasury and report; and then the Treasury in their turn *must* obey the surveyor, and direct the grant. The whole system moves, according to the preordained laws of despotism, in a circle of strict *necessity*.[1]

In this procedure, who can convict the *surveyor-general* of corrupt activity or obedience? He is only bound to prove, that the lands in question have been in some former age in the hands of the crown.

[1] In a debate which took place in the House of Commons, February 27, 1771, on a motion made by sir William Meredith, to repeal a clause in the *Bill of Quiet*, which passed in the year 1768, lord North thus defends himself from the grant in question:—

'The honourable gentleman [Mr Cornwall, afterwards speaker of the House of Commons,] has revived in my memory a grant, which passed since I had the honour of holding the seal of the Exchequer, and which seal, I am proud to own, was affixed by me to the grant in question. This he calls an abominable act: but in the situation I then was, and still am, I thought myself bound to pass it by every principle of duty to the crown, as the servant of the crown, and bound still more strongly by that duty which I owe to the public, as steward of the public estate, as far as it is intrusted to me. It is my glory that I passed the grant; and as often as mention of it is made, so often shall I think that honour imputed to me.' Notwithstanding lord North's boast upon the occasion, the grant was ultimately set aside by the Court of Exchequer, on the ground that a *quit-rent* of *thirteen* and *fourpence* was not an adequate *third-part* of its clear yearly value. But see the decision of that court, as given in p. 302, note.—EDIT.

This is not difficult: all the lands of the kingdom have been so. It is his duty, according to the present prerogative doctrines, not to discover, or to suffer to be discovered, any thing which may tend to clear and settle the right of the subject. He may have that in his office which would establish the very title he attempts to overthrow: but fairness in *his* situation is held to be a breach of trust, because the *crown* is always considered by these gentlemen, with respect to the *subject*, as an *adverse party;* and to exist in a state of *unremitting and immortal litigation* with the people.

Thus a mutual obedience and a common impunity is established between these two great powers, the Treasury and the surveyor, grounded on the favourite principle of *necessity*. The only free agent in the whole transaction is the *informer;* but he is not only as dispunishable as the others, but is highly meritorious into the bargain, for discovering what, in their prerogative jargon, is called a *concealment:* that is to say, in plain English, the ancient possession and inheritance of a valuable and loyal subject. By all these means *an office of inquisition is established in the true inquisitorial spirit, and with genuine inquisitorial powers, over all the landed property of England.* The use proposed to be made of it will be the subject of my next paper.

In the mean time it is a matter of very serious consideration, to observe the growth of arbitrary and despotic principles in this country: There is such a pernicious vigour in their vegetation, and such a rank luxuriance in the soil, that when they seem to be cut up even by the roots, they will suddenly shoot up in some other place, and under some other, and perhaps more dangerous, appearance. Suppress them under the shape of *general warrants*, or *seizure of papers*, they will start up in the form of *dispensing powers, forfeiture of charters, violations of public faith, establishments of private monopolies*, and *raising up antiquated titles for the crown*. There is a consideration still more melancholy: that many persons,[1] apostatizing from their principle, betraying their associates, and combining with their adversaries, make no other use of the credit they have derived from their former activity in the cause of freedom, than that they may approach it without suspicion, and wound it beyond all possibility of cure.

MNEMON.

LETTER XV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

11 *March*, 1768.

What aileth thee, MNEMON *?*
Why art thou so disquieted?
And why is thy understanding troubled?

Is it not very extraordinary, Mr Printer, that the parts and abilities of *Mnemon* should be prostituted to the licentious abuse of the highest and most honourable board in this kingdom, composed of persons of the most unimpeached characters, because they have dared to grant some crown lands to sir James Lowther, not comprehended in that of king William, to one of his Dutch imports, but usurped and illegally withheld by them?

Can any one review the parliamentary debates of that æra, and not be fired at the glorious spirit exerted by the Commons of England against the enormous grant of crown lands made to the Dutch favourites of that monarch?

Was not the most scandalous partiality shown to them in prejudice to the people of this country? Were not honours and riches heaped upon them with unexampled profusion?

Whence, in the name of God, all this clamour? What is it to the public, whether a Bentink or a Lowther succeeds? Are not the courts of law open to determine it? Can it be a subject for faction, or a pretext for abuse? No, Sir; be assured,

[1] The duke of Grafton is the person here alluded to.

the arrows wound not; the breast, fraught with conscious worth, feels not the shafts of envy.

ANTI VAN TEAGUE.

LETTER XVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 24 *March*, 1768.

YOUR correspondent *Anti van Teague*, in your paper of Friday se'nnight, has undertaken a task, far, I am afraid, above his abilities. His inclination I believe to be very good, but *non tali auxilio, nec defensoribus istis——Tempus eget.* If *Nullum Tempus*, and the late most extraordinary and alarming use made of it, is now to be defended, I would advise that most honourable board, composed (as *Anti van Teague* says) of persons of the most unimpeached characters, to hire abler advocates for its defence. Uncommon parts and no vulgar eloquence are required to subdue the fears and quiet the apprehensions of all the landed property of these kingdoms. When that most honourable board shall next think fit to bestow another estate upon a Lowther, or any other informer, wonderful no doubt will be the contented acquiescence of the person robbed, when he is assured that what is taken from him to gratify the Scotch favourite of to-day, was given some hundred years ago by the crown to a Dutch favourite of that time. Surely, Sir, the noble duke who is the present sufferer, must feel great satisfaction in finding the sins of his ancestors visited upon him. A Stuart has at length risen up to avenge upon the memory of king William, and the descendants of all those embarked with him in the once glorious cause, the injuries and sufferings of that once (but now no longer) hateful name.

We have lived, Sir, to see an advocate for the ministry of George the Third defending their actions and justifying their conduct, by asserting—not that their actions are just and their conduct clear, but that their injustice falls heavy on the posterity alone of those who by their arms and their counsel assisted our great deliverer to effect that revolution, to which, and which alone, we owe the establishment of his present Majesty's most illustrious and royal family on the throne of these kingdoms.

What *Anti van Teague* means by unimpeached characters I cannot readily guess. I suppose he means the public character of the ministers, or rather of the minister.[1] His private character I do not meddle with, but to call his character unimpeached, who is not only charged with, but to the sense of every impartial person convicted of, the most daring and flagitious attacks upon the liberty and property of his fellow-subjects, is really surprising.

Is the revival of the suspending and dispensing powers of the crown an experiment of curiosity alone?—but for that he has in the most solemn manner been pardoned by an act of parliament, and therefore probably that will not make part of his impeachment. Is his open and wicked interference in elections, by threats and bribery, manifest to the whole nation (though his reverend instrument was acquitted), to be accounted no more than a good-natured solicitude for his friends?

Are his violent attacks upon the monied and landed property of the people nothing more than dutiful exertions of his power to pay on one hand the debts of the civil list, and on the other hand to raise support, and extend that hidden, pernicious, and unconstitutional influence, in which, and by which, he lives and moves, and has his being?

Is his lavish and wasteful profusion of the public property in pensions, reversions, grants, and monopolies, a decent and becoming reward to those who have been, or are willing to be, his tools and creatures?

Is his activity in corruption and oppression, and his perfect idleness in, and neglect of, all public and national business, a spirited exertion on one hand, and a needful repose on the other?

[1] The duke of Grafton.—EDIT.

I have, you see, Sir, not meddled with his private character; I leave that for him to *earth* in whenever he is hard run, according to the laudable example of his chancellor of the Exchequer.[1] Let him resemble the great demigods of antiquity, who had also two characters, and whilst one half of them was taken up to heaven, the other half found its way to hell. I shall only advise *Anti van Teague* to recommend it to his patron not to trust too much to his double capacity, lest, at some odd turn, he may find his *private person* so involved in his *public character*, that the sharpest ax, and the most dextrous operator, may not be able to avenge the nation upon the *last*, without doing some small prejudice to the *first*.

I am, &c.

Not yet an enemy to the revolution,
ANTI STUART.

LETTER XVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

5 *April*, 1768.

Vivit? imò verò etiam in senatum venit; fit publici consilii particeps: notat, et limis designat oculis ad cædem unumquemque nostrûm.

CICERO in CATILINAM.

SIR,

THE return of Mr Wilkes to England, and the measures he has since pursued, have given the servants of the crown an opportunity of acting in a manner so becoming themselves, that it would be ingratitude not to take notice of their extraordinary merits upon this occasion. Our gracious sovereign undoubtedly thinks himself highly indebted to his ministers for their uncommon care of his honour and dignity, as well as for their attention to the security of his house, family, and sacred person; and I may venture to assure them that the public in general have a just sense of the vigour and spirit with which they have administered the laws, and with which the peaceable part of his Majesty's subjects have been protected. What sort of thanks they will receive from their sovereign, I cannot tell, but, as far as my weak endeavours can reach, the nation shall not remain unapprised of the extent and species of our obligations to them.

A man of a most infamous character in private life is indicted for a libel against the king's person, solemnly tried by his peers according to the laws of the land, and found guilty.[2] To avoid the sentence due to his crime, he flies to a foreign country, and failing to surrender himself to justice is outlawed. By this outlawry, he loses all claim to the protection of those magistrates, and of those laws, to which, by his evasion, he had refused to be amenable. After some years spent abroad, this man returns to England with as little fear of the laws, which he had violated, as of respect for the great person, whom he had wantonly and treasonably attacked. Without a single qualification either moral or political, and under the greatest disability, this man pre-

[1] Lord North.—EDIT.

[2] It has already appeared in several instances, that JUNIUS, subsequently to the present date, espoused the cause of Mr Wilkes, or rather strenuously upheld him in his contest with the ministry upon the very subject adverted to in this letter. Yet the political conduct of JUNIUS was perhaps strictly and unimpeachably uniform. He had, at first, indeed, conceived a personal dislike to Mr Wilkes, in consequence of his strenuous resistance to the general warrant which was served upon him during the administration in which Mr George Grenville was chancellor of the Exchequer, for whom, whether in office or out of office, JUNIUS ever manifested the strongest partiality. But in the present instance, Wilkes is only adverted to as an instrument of attack upon an administration which JUNIUS abominated; and as soon as he found that he could support this attack better by enlisting this gentleman in his favour than by continuing in opposition to him, he shrewdly took measures for such a purpose, and was fortunate enough to succeed.

There is the same apparent inconsistency in his being ultimately the friend of lord Camden, who is here held up to the public odium, and to lord Chatham, after having as warmly opposed him. But his change of opinion concerning these noblemen was by no means a sudden flight; it grew upon him slowly, and was the result of their own change of conduct.—EDIT.

sumes so far upon the protection of the populace, as to offer himself a candidate to represent the metropolis of the kingdom. Disappointed in this attempt, notwithstanding all the efforts and violence of the rabble, he has still the confidence to offer himself to the freeholders of Middlesex as a proper person to represent a county, in which he has not a single foot of land; and to complete the whole, we see a man overwhelmed with debts, a convict, and an outlaw, returned to serve in the British parliament as a knight of a shire. These, Sir, are the main facts of Mr Wilkes's case. The circumstances with which they were attended are no less atrocious. We saw the other candidates, gentlemen of large fortune, and of the most respectable characters, dragged from their carriages, and hardly escaping with life out of the hands of Mr Wilkes's friends and companions. If the candidates were treated in this manner, you may imagine what sort of reception their friends met with in attempting to poll for them. The fact is, that great numbers were driven back by main force, or deterred by the threats of the populace; so that not a third part of the friends of sir William Proctor and Mr Cooke were ever permitted to approach the hustings. The conclusion of Monday and Tuesday night was perfectly consistent with the whole proceedings of the day. I need not enlarge upon this detestable scene, since there is hardly a family in London or Westminster which has not had reason to remember the day of Mr Wilkes's election. The metropolis of the kingdom, the seat of justice, and the residence of the sovereign, and of the royal family, were left, for two nights together, at the mercy of a licentious, drunken rabble, without the smallest guard, either civil or military, to secure the king's person, or to protect his subjects. Amidst all the horror and outrage of these transactions, is there one Englishman endowed with the smallest portion of reason or humanity, who can hear without grief and resentment, that, even in some of the royal palaces, to avoid worse consequences, illuminations were made to celebrate the success of a ——, who, after heaping every possible insult on the person of his sovereign, returns in triumph to brave and outrage him again, even in the place of his immediate residence!

Such was the scene, of which all the inhabitants of London and Westminster were witnesses to their cost. Let us now enquire what has been the conduct of the ministry during the course of it. Long before Mr Wilkes appeared at Guildhall, it was well known that he was in London; and, if any measures had been taken by the ministry to secure him in consequence of his outlawry, it might undoubtedly have been done with the greatest facility. Why no process was sued for out of the Court of King's Bench, let the ministers answer if they can. But they have much more to answer for. They are responsible for all the consequences of permitting this outlaw to appear at large, and for all the violences of which he has since been the author. By their indolence and neglect, or perhaps in consequence of a secret compact with him, this man has been suffered to throw the metropolis into a flame, to offer new outrages to his sovereign, and at last to force his way into parliament, where, if he were a man of any parliamentary abilities, I doubt not but he would reward them as they deserve. In the midst of all this tumult and confusion, the chancellor of Great Britain[1] and the first lord of the Treasury[2] retire out of town, and leave the whole executive power of the crown to fall to the ground. In the name of God and the laws, are such men fit to govern a great kingdom? To say that they are, is an insult to the common understanding of mankind, and I hope our gracious sovereign will do justice to himself and to his people, by depriving them of a power, which they have either not courage or not honesty enough to exert in his service. I am persuaded there is not a man of property, sense, or honour in this country, who is not

[1] Lord Camden. [2] The duke of Grafton.

ready, heart and hand, to support the constitution, and to defend the sovereign, though his own immediate servants have deserted him. We have hitherto taken no steps for our defence, because we expected the protection of government; but we are still strong enough to defend our lives and properties against Mr Wilkes and his banditti; nor shall the treacherous example set us by the ministry, ever induce us to abandon our own rights, or those of the chief magistrate.

C.[1]

LETTER XVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 5 *April*, 1768.

THERE is something so extraordinary in the conduct of the ministry, with respect to Mr Wilkes, that I cannot help suspecting they have a secret motive for it, which the public is not aware of. It is to me inconceivable that he should have been suffered to return to England, and remain at large, notwithstanding his outlawry;—to offer himself a candidate for the metropolis;—to appear the leader of violence and riot uncontrouled;—and at last to succeed in his enterprise at Brentford;—unless all this had been done with the connivance and consent of the king's servants. My suspicions may perhaps be ill founded, but I think there is reason enough to apprehend that Mr Wilkes would never have been permitted to go such lengths, if all were well between the ministry and the earl of Bute. They certainly have a design to terrify the Scotchman, and to keep him in order, by producing their tribune once more upon the stage. Let the Thane look to himself! Mr Wilkes, being a man of no sort of consequence in his own person, can never be supported but by keeping up the cry, and this cry can no way be maintained but by renewing his attacks upon the Scotch favourite and his countrymen. With this key we may, perhaps, account for the supineness and indifference with which the ministry have seen the laws trampled on, and the public peace and tranquillity destroyed, by the respectable Mr Wilkes, and his no less respectable friends.

Yours,
Q IN THE CORNER.

[1] The editor has already had occasion to observe in various places that C. was the signature adopted by JUNIUS in his private correspondence with the printer of the Public Advertiser. See more especially the private letters C. *passim*.—EDIT.

LETTER XIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

12 *April*, 1768.

The common law hath so admeasured the king's prerogatives, that they should not take away nor prejudice the inheritance of any.
COKE'S INSTIT.

SIR,

THE extraordinary purpose to which an old maxim, or rather dictum, of the common law has lately been applied by the commissioners of the Treasury, has led me to consider upon what principles it was originally founded, and whether it be applicable to the present circumstances of the British constitution. A resumption of lands held under a supposed grant from the crown, after a possession of near fourscore years, was an alarming measure to every English gentleman of landed property, but the principle on which it was defended was formidable enough to strike a terror into men of all ranks who had either estates or liberty to lose. A ministry, determined to invade the liberties or property of the subject, may, in our law books, find antiquated maxims to support the most violent stretches of prerogative; and if it be admitted that no length of possession is good against the crown, I hardly know that right or privilege, much less any tract of soil possessed by the subject, which may not be disputed

or resumed at the pleasure of the sovereign. It has been a fashion with some writers to represent the feudal government as a system of liberty; but I must confess that a constitution, wherein the king is supposed to be the original owner of all the lands; wherein we have seen the nobility at perpetual war with the sovereign, and bringing their vassals into the field against him, or against one another; and wherein the whole body of the people was held in absolute dependance upon the petty tyrants; does not present to me the idea of political liberty in any part of it. The greatest commendation it deserves is, perhaps, that it was capable of improvement. Accordingly it has been so altered and so mended, that a man must be well read in law to discover any trace of it in the present form of our government; and I am justified by modern statutes in asserting, that we never thought our constitution completely settled upon the basis of freedom, until every mark of feudal services and dependance was abolished by parliament.

But though great improvements have been made, there remains yet a great deal to be done; and if the crown be permitted to recur to maxims of law which prevailed when a system of government subsisted very different from the present, the most arbitrary measures may still pass for a legal exertion of the royal prerogative. I am still the king's liege man, and may be sent from one part of the country to the other, from the care of my family and affairs, and perhaps in my absence a *nullum tempus* may deprive me of my estate. The argument alleged by lawyers in favour of their own rule, that no delay shall bar the king's right (viz. 'because the law intends that the king is always busied for the public good, therefore has not leisure to assert his right within the times limited to subjects'), will hardly bear a strict examination, especially if referred to the present establishment. Either it is not well founded in fact, or the reasoning on which it depends will prove too much. It is not true at this day, and I doubt whether it ever were true, that the law (which is the solemn sense and opinion of the people) supposes the king so continually employed about public affairs, as to be entitled to an extraordinary indulgence in the neglect of those precautions which concern the private interests of the crown. If, indeed, the king were supposed to transact and govern the affairs of the kingdom in his own person; or if he had not a number of officers whose duty it is to take care of and transact every business relative to his private rights, and private property, an indulgence of this nature to a chief magistrate, so much employed, and so little assisted, might not be thought very unreasonable. But when, on the one hand, the ministers of the crown are alone responsible for the conduct of public affairs; and when, on the other, it is the business of the Treasury, of the Exchequer, of the land surveyors, and of a multitude of officers, to oversee and manage the revenues and distribution of the crown lands, I hold it to be highly unconstitutional, as well as absurd, to introduce the person of the sovereign as claiming an indulgence to himself for neglects, which are properly the neglects of his servants. But admitting the excuse of public employment for private negligence to be valid, let us see how far it will reach. If the sovereign, on account of his high occupations, be entitled to such a privilege, his ministers certainly have a claim to their share of it. The lords, who are hereditary counsellors of the crown;—the judges;—every member of the House of Commons, and ambassadors sent abroad, may all plead public employment; nor can there be any good reason alleged why every officer engaged in the public service, from the high chancellor down to the bum-bailiff, should not be allowed his proportion of *nullum tempus*, according to their several ranks, and the time they continue in employment. But it were endless to refute arguments which have neither truth nor meaning.

The maxim, that *nullum tempus occurrit regi*, if ever, could only be true under the feudal government. It was then a national

interest to preserve the royal demesne entire, because the support of the royal dignity depended upon it. The king, out of this revenue, defrayed the expense of his family and government, and never applied for aids to the people, but upon pretence of extraordinary emergencies. By preserving this separate property to the king, the people in effect preserved their own, and therefore admitted without reluctance a maxim introduced by the lawyers of the crown, since it tended to deter individuals from invading a branch of royal revenue, any deficiency in which must have been made good out of the public stock. Nothing less than a reason of this public nature could have procured submission to a doctrine full of hardship and oppression to the subject, and which, in favour of the crown, directly contradicted those rules of common law, by which the possession of property between man and man was secured.

To revive and enforce a maxim of this sort, when not one of the reasons subsist on which it was originally founded, when the king's family and government are supported by a fixed revenue of eight hundred thousand pounds raised upon the people, is certainly a most unwarrantable and a most dangerous attempt. Under the present board of Treasury, the reign of Empson and Dudley seems to flourish again; and where is the man who can say his liberty or his property is secure to him, if antiquated doctrines and obsolete laws may be brought to life at the breath of a young, inconsiderate, arbitrary minister, and sent abroad to attack every subject whom he shall think proper to call an enemy to government? A minister capable of recommending such measures to the crown, calls to my mind the idea which our ancestors had of some black magician conjuring up infernal spirits from the depths of the earth and of the sea, and letting them loose to the destruction of mankind. Delusions of this sort have indeed been long since exploded; but there are other diabolical arts, which certainly do exist, which ministers practise, but which I hope will be as little able to maintain themselves against the improved understanding and well-directed firmness of the English nation. C.

LETTER XX.

For the Public Advertiser.

23 *April*, 1768.

TO HIS GRACE THE DUKE OF GRAFTON.

Is it enough that Abra should be great
In the wall'd palace or the rural seat?
Oh, no! Jerusalem combined must see
My open shame and boasted infamy.

My Lord,

Permit me to congratulate your Grace upon a piece of good fortune which few men, of the best established reputation, have been able to attain to. The most accomplished persons have usually some defect, some weakness in their characters, which diminishes the lustre of their brighter qualifications. Tiberius had his forms; Charteris now and then deviated into honesty; and even lord Bute prefers the simplicity of seduction to the poignant pleasures of a rape. But yours, my Lord, is a perfect character: through every line of public and of private life you are consistent with yourself. After doing everything, in your public station, that a minister might reasonably be ashamed of, you have determined, with a noble spirit of uniformity, to mark your personal history by such strokes as a gentleman, without any great disgrace to his assurance, might be permitted to blush for. I had already conceived a high opinion of your talents and disposition. Whether the property of the subject, or the general rights of the nation, were to be invaded; or whether you were tired of one lady, and chose another for the honourable companion of your pleasures; whether it was a horse-race, or a hazard-table, a noble disregard of forms seemed to operate through all your conduct. But you have exceeded my warmest expectations. Highly as I thought of you, your Grace must pardon me when I

confess that there was one effort which I did not think you equal to. I did not think you capable of exhibiting the lovely Thais[1] at the opera-house, of sitting a whole night by her side, of calling for her carriage yourself, and of leading her to it through a crowd of the first men and women in this kingdom. To a mind like yours, my Lord, such an outrage to your wife, such a triumph over decency, such insult to the company, must have afforded the highest gratification. When all the ordinary resources of pleasure were exhausted, this, I presume, was your *novissima voluptas*. It is of a lasting nature, my Lord, and I dare say will give you as much pleasure upon reflection, as it did in the enjoyment. After so honourable an achievement, a poet's imagination could add but one ray more to the lustre of your character. Obtain a divorce,[2] marry the lady, and I do not doubt but Mr Bradshaw will be civil enough to give her away, with an honest, artless smile of approbation.

LETTER XXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 23 *April*, 1768.

IF I were to characterize the present ministry from any single virtue which shines predominant in their administration, I should fix upon *duplicity* as the proper word to express it.

I would not here be misunderstood: I do not by this mean only the little sneaking quality, commonly called double-dealing, which every pettifogging rascal may attain to; but that real *duplicity* of character which our ministers have assumed to themselves, by which every member of their body acts in two distinct capacities, and, Janus-like, bears two faces and two tongues, either of which may give the lie to the other without danger to his reputation.

This is the present catholic political faith, which, unless a man believes, he shall not get a place; and if people would attend to this, they would be able to account for many of our great men's actions, which are unaccountable any other way.

By this rule a man may say as a judge, that the loss of an Englishman's liberty for twenty-four hours only is grievous beyond estimation; and then as a minister may declare, that forty days' tyranny is a trifling burthen, which any Englishman may bear.[3]

As a member of parliament, a man may give his word that a certain bill shall be dropped; and the next day, as a chancellor of the Exchequer, may bring it into the House.

A first lord of the Treasury may declare upon his honour that he has no concern in India stock; but there is nothing in this to hinder him as a private man from having a share with any young lady of *virtue* to the amount of £20,000.

In those cases, you see, the duplicity of character in which they act, covers the parties from all sort of blame; but I will now do honour to the noble duke who, from under the footstool of gouty legs,[4] has crept into the elbow-chair, who, though green in years, is ripe in devices. It is he who has carried this double-faced virtue to its greatest pitch. He has not only practised it with great success in public affairs, but has also lately introduced it into dealings between man and man.

Everybody knows the story of *nullum tempus*, and the application of it to rob the duke of Portland of £30,000. The duke of Grafton (as set forth in a case lately published) upon a representation, before any proceedings were had in the affair, did

[1] Miss Parsons, afterwards lady Maynard.—EDIT.

[2] The duke of Grafton was, subsequently to the date of this letter, divorced from Miss Liddel, then duchess of Grafton, and married, not the lady in question, but Miss Wrottesley, niece to the duchess of Bedford. See Letter XII.—EDIT.

[3] In allusion to lord Camden's opinion upon the power of the crown to suspend an act of parliament. See the subject further discussed in Letter LX.—EDIT.

[4] Lord Chatham's.—EDIT.

actually promise to the duke of Portland, 'That no step should be taken towards the decision of the matter in question till his Grace's title should be stated, referred to, and reported on, by the proper officer, and fully and maturely considered by the board of Treasury.'—Had the duke of Portland been fully apprised of the new doctrine of the twofold state of ministers, he would have considered this promise (as it was really meant) as illusory, and only an expedient to lull him asleep while the business was going on. But his Grace knew no more of this maxim than if he had been an India director, and thought that a promise was a promise in whatever character it was given; so while he, in full confidence, was preparing the proofs of his right, the affair in dispute was given away, and the new grant to sir James Lowther made out, signed and sealed in the Treasury, without ever 'his Grace's title being stated, referred to, or reported on, by the proper officer, or fully and maturely considered by the board.'

Lest any one should think that I partially ascribe this conduct of the duke of Grafton to my favourite principle of two natures, when it ought to be laid to some other of his Grace's virtues, I shall here quote a reply to the duke of Portland's case, lately published (as it is said) under the auspices of the Treasury, where this doctrine is defended with equal modesty and truth. The writer begins by admitting the promise, which he says was *inadvertently* given by the duke of Grafton; but then, says he, 'since he was the king's servant, and had no title to the making this promise, he perceived he was not in honour bound to adhere to it.'—Now here is a fair distinction between the king's servant and the man of honour, a distinction which, I believe, few people at present are disposed to deny. His Grace (who has undoubtedly very delicate perceptions) perceived that as a king's minister he was not bound to keep a promise which he had made as a private man; and in this (continues the pamphleteer) 'he can be supported by the soundest casuists.'—I am not deeply read in authors of that professed title, but I remember seeing Bassambaum, Saurez, Molina, and a score of other jesuitical books, burnt at Paris for their *sound casuistry* by the hands of the common hangman. I do not know that they have yet found their way to England, unless perchance it be to the library of his Grace of Grafton, where they probably stand with the chapter of promises dog-eared down for the perusal of scrupulous statesmen.

This doctrine, once fully established, will add a great facility to business, and prevent unnecessary delays: for example—in former times a minister would have been exceedingly hampered with such a promise as we have here cited: he would have shifted, and delayed, and played the back-game to have got rid of it, or to reconcile the breach to his conscience and reputation; but here you see there was no unnecessary delay: the business went on; and he who acknowledged that he had given his word in a private capacity, brings the book to prove that as a first lord of the Treasury 'he was not bound to adhere to it,'—and this is sound casuistry. Thus a man who is dexterous in state legerdemain, may play his two characters like cups and balls; speak, write, read, lie, promise, swear, and you can never catch him till the box drop out of his hand.

I proposed to have made this a complete panegyric on the duke of Grafton; but I find it extremely difficult to draw *one* character of a man that acts in *two*. If, however, my poor attempt towards it should find favour in his sight, I hope he will on a future occasion afford me the means of distinguishing between his two characters, as Molière's Sosia does between the two Amphitrions, 'c'est l'Amphitrion chez qui l'on dine.'

BIFRONS.

LETTER XXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

6 *May*, 1768.

Nil admirari.

HOR.

SIR,

WHEN the advocates of the ministry assure us that there never was a set of men more careful of the happiness of his Majesty's subjects, I presume it is Horace's sense of happiness which they would be understood to promote. If it be their design to reduce us to a state of resignation in which we shall wonder at nothing they do, their bitterest enemies must confess that their endeavours to make us happy have been no less indefatigable than ingenious. By a regular progression from surprise to wonder, from wonder to astonishment, and so on through all the forms of admiration, they have at last conducted us to that philosophical state of repose, which may set even the miracles of the present ministry at defiance. If the force of example, beyond all ethics, had not made me as callous as a shoeing-horn, the contents of Saturday night's Gazette would, I confess, have made me stare. When his Majesty (God bless him!) is in perfect health, to be informed that the first session of a new parliament is to be opened by commission, is a novelty which, had I been less confirmed in my principles than I am, would, I own, have filled me with a certain portion of amazement.[1] That the minister himself should have his reasons for not being very desirous to meet a parliament, or that he should wish to answer for his conduct by confusion, is not so extraordinary; but that he should give such advice to a prince, beloved, adored by his people, is a step, which, in my present condition, does every thing but surprise me. Is it possible, Mr Printer, that the ministry should not know what sort of interpretation will be given to this measure; or did they mean to give the finishing stroke to Mr Wilkes's triumph, and to the dishonour which they, and they alone, have heaped upon the crown? I protest, Sir, I had very near betrayed my principles, and suffered an indecent expression of surprise to escape me. At a time when the residence of the sovereign was really exposed to violence and insult,[3] these worthy ministers gallantly retreated from the danger; but now, to make amends for that desertion, they affect a care for the king's security, equally ridiculous and disgraceful. What, Sir, is government in their hands really sunk so low that they dare not hazard a meeting between their sovereign and his parliament? Or are they afraid that another language might be held to parliament than that which they dictate; that some expression of a just resentment of their baseness should escape; or do they acknowledge to the world their apprehensions of the populace? If that be the case, I can only say, that the infamy of the measure can be exceeded by nothing but the vileness of the motive.

These distant hints, I hope, Sir (as I think the ministry do not pique themselves much upon steadiness), may appear time enough to induce them to recommend a different system, more worthy of the crown, though less worthy of themselves.

C.

LETTER XXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 12 *May*, 1768.

I HAVE read in your paper of this

[1] *From the London Gazette. — Whitehall, April* 30. It being his Majesty's royal intention, that the parliament, which is summoned to meet on Tuesday the 10th day of May next, should then meet and sit; the king has been pleased to direct a commission to pass the great seal, appointing and authorizing his royal highness the duke of Gloucester, his royal highness the duke of Cumberland, Thomas, lord archbishop of Canterbury, and other lords, to open and hold the said parliament on the said 10th day of May next, being the day of the return of the writs of summons.—EDIT.

[2] See note in p. 154, and Miscellaneous Letter, No. XVII.—EDIT.

day a second letter in defence of the conduct of the Treasury relative to the late extraordinary grant. That conduct was a specimen of their principles. They have now thought fit to give the public a sample of their reasoning.

Their letter *ought* to have been (if it had been what it pretends to be) an answer to the several accusations laid against them in a pamphlet, entitled, 'The duke of Portland's Case.' Their answer *is* an attempt to prove that the duke of Portland had no right in law to those lands, of which he and his family have so long continued in possession, and which have been lately granted by the Treasury to sir James Lowther, son-in-law to the earl of Bute.

I do not mean here to make any reply to the futile arguments by which the ministers, or their advocate, endeavour to establish this point. Because the point itself is, as they know, wholly foreign to the question, and does in no sort concern the public. They shall not be permitted to evade in this manner the real edge of the charge that lies against them.

The charge against them is *not* that they have granted to sir James Lowther an estate which, in law, is the right of the duke of Portland; but that they partially, and in many parts of the proceeding, surreptitiously, upon the bare report of a subordinate officer, without suffering his vouchers to be examined, without hearing counsel, or allowing time or means of defence to the party, or of due information to themselves, have violated the equitable and presumptive rights of long and undisputed possession, for the purposes of undue influence at an election, and of paying a base court to a clandestine and dangerous power.

This *is* the charge against them; which they have not attempted to answer; which they never can answer; and which will fix a brand upon their foreheads, that no sophistry will be able to efface, and no veils of ministerial artifice will be thick enough to conceal, from the eyes of an indignant and an injured people.

The ministers affect to be surprised that the writer of the duke of Portland's case has taken no notice of his Grace's title, and has not set forth the surveyor-general's report against it: they are at liberty to amuse themselves with such observations. I hope that writer will never give them any disturbance in their learned pleadings on this subject. He has, I trust, too much sense to moot in the public papers the legal construction of a clause in a crown grant.

It is a matter of perfect indifference to the public, whether the grant, for instance, of the manor of *Dale* is sufficient to convey *Swale* also as its appendant; or whether *Swale* ought specifically to be named. These are not the sort of questions with which we are affected: the ministers may think it wise, perhaps, to hazard the good faith of a crown grant upon such subtle criticisms. Their operation one way or the other (if prescription had not intervened) would not have been a matter greatly to concern the public; but it does concern the public, and in the highest degree, whether long, quiet, undisputed possession, which is the best of titles against the subject, shall or shall not be a title at all against the crown? Whether a Treasury, availing itself of a remnant of odious, and for a long time inactive, barbarism, shall upon points of legal subtilty endeavour to shake that title? Whether they shall refuse a search of the only material office for settling the doubts that they raised? Whether they shall decline taking the opinion of the king's law servants on such important points of law? Whether they shall refuse to hear the party by his counsel? And whether without any of those forms, some of justice, and all of decency and candour, they shall arm a wealthy and powerful informer with a crown claim to harass and oppress the subject.

These are the points in the duke of Portland's case, in which the public is concerned. If no prescription is pleadable against the crown, and if the Treasury, without hearing, is suffered at pleasure to halloo an informer at your estate, on the bare report of a surveyor's duty, their own creature;—woe to the property of England! Remem-

ber that almost all that property has at one time or other flowed from royal grants. No possessor, no purchaser, no mortgagee is safe; no further safe than he is covered by the act of James the First, which is now sought to be converted from a temporary regulation into a perpetual rule of law.

That truly wise and patriotic bill, which the ministerial gentlemen are pleased to term factious, was what our ancestors called for, and so far as it regarded themselves, obtained, on the alarm of just such sort of grants as this to sir James Lowther. They did not contend that the grants should be made, only in cases where the crown had a plausible title. No; they maintained 'that such titles prior to sixty years should not be set up at all.' They demanded that the crown should litigate with the subject on the same terms of equity on which the subjects litigated with one another; and that sixty years of possession should bar a *royal* as well as a *private* claim.

They lived, indeed, in an age of extravagant prerogative, and they could not obtain this right fully for posterity; but they did what they could, and secured it for themselves. The arguments of the ministry are not against the duke of Portland, but against the doctrine of prescription itself; against natural justice; and against the principles of that wise and constitutional, though (by the misfortune of its time) imperfect law, the statute of the 21st of king James the First.

What do we care, whether this dormant and antiquated claim of the crown be well or ill founded in strict law? I take it for granted, that it has no foundation; and make no sort of doubt that when it comes to trial, it will appear scandalously groundless. Besides the favourable presumption that ought to operate for possession, the whole conduct of the Treasury gives me a right to conclude against them. If they were so sure of the validity of their claim, why did they not a little discuss the grounds of the surveyor's report, and order him to produce his vouchers? How could it hurt this or any other fair claim (supposing this a fair one) to have the records in his office inspected? Would a fair claim be hurt by having it openly and solemnly debated by counsel? Any set of men who have regard even to decorum in their injustice, could never have acted with this barefaced partiality to one person, and with such a scandalous spirit of oppression towards another.

It was in their official capacity they ought to have seen the right of the crown to make this grant defended, and the right of the duke of Portland examined. They ought to have had the king's counsel to cover them with their opinions and arguments in point of law; and not to have first passed the grant without hearing or examination, and then trusted for their apology to a legal discussion argued miserably, and without authority, in a common newspaper. Their arguments might have been produced with some grace and some weight to the public, when it was known that they had been officially considered, and fairly canvassed among all the parties concerned, *before the act was done;* and that these arguments were the grounds of their conduct, not excuses for their delinquency. At present they can only excite contempt for their weak defence of those actions, whose atrociousness had before merited the abhorrence of all good men.

VALERIUS.

LETTER XXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *May*, 1768.

AN officer of the guards on whose veracity I can rely, has informed me, that the secretary at war has thought proper to write a letter of thanks to the commanding officer of the troops lately employed in St George's Fields.[1] The substance of it, as

[1] As this letter is frequently alluded to by JUNIUS in the course of the present work, we shall here insert a copy of it:—

'SIR, *War-office*, 11 *May*, 1768.

'HAVING this day had the honour of mentioning to the king the behaviour of the de-

well as I can remember, is rather of an extraordinary nature, and I think deserves the attention and consideration of the public. I understand that his Lordship thanks them in the king's name, for their good behaviour, and assures them, that his Majesty *highly approves* of their conduct. He further engages his promise, that whatever bad consequences may ensue, they may depend upon the utmost assistance and support that his office can afford them.[1] Without entering into the evidence on which the coroner's verdict against an officer and some soldiers of the guards was founded, I shall not scruple to say that this mention of the king's name is very improper and indecent. The father of his people undoubtedly laments the fatal necessity which has occasioned the murder of one of his subjects, but cannot be supposed to *approve highly* of a conduct which has had dreadful consequences. An event of this shocking nature may admit of excuse and mitigation from circumstances of necessity, but can never be the object of the *highest royal approbation*;—much less was it proper to signify such strong approbation of a conduct which includes a fact still *sub judice*, and the particulars of which are not yet known with any degree of certainty.

The secretary at war would have done better in confining his letter to the expression of his own sentiments. What he has said for himself, if I am rightly informed, will require more wit than he possesses to defend. For the mere benefit of the law, I presume, the prisoners will hardly thank him. It is a benefit they are entitled to, and will certainly have whether he and his office interfere or not. If he means any thing more, let him look to his words. But I hold it to be highly unconstitutional, as well as illegal, to promise official support and protection to either party in a criminal case, wherein the king prosecutes for the loss of his subject. There is a degree of folly in a minister of the crown signing such a letter which looks like infatuation; but I hope the Court of King's Bench, or some other court, will let him know what the law calls *abetment* and *maintenance*, and bring him to *his senses*.

Yours,

FIAT JUSTITIA!

tachments from the several battalions of foot-guards which have been lately employed in assisting the civil magistrates, and preserving the public peace, I have great pleasure in informing you, that his Majesty highly approved of the conduct of both the officers and men, and means that his Majesty's approbation should be communicated to them through you. Employing the troops on so disagreeable a service always gives me pain; but the circumstances of the times make it necessary. I am persuaded they see that necessity, and will continue, as they have done, to perform their duty with alacrity. I beg you will be pleased to assure them that every possible regard shall be shown to them: their zeal and good behaviour upon this occasion deserve it; and in case any disagreeable circumstance should happen in the execution of their duty, they shall have every defence and protection that the law can authorize, and this office can give.

'I have the honour to be,
'Sir,
'Your most obedient, and most humble servant,
'BARRINGTON.'

'Field officer in staff waiting for the three regiments of foot-guards.
'Officers for guard on Saturday next, Lieut.-col. Groin, &c. &c.'—EDIT.

LETTER XXV.

For the Public Advertiser.

1 *July*, 1768.

TO MASTER HARRY IN BLACK-BOY-ALLEY.

——At tu, simul obligasti
Perfidum votis caput, enigrescis
Atrior multo.——

THE moment I heard you had

[1] In the riot here alluded to, which originated from a vast concourse of people assembled together opposite the King's Bench prison, on May 10, in the expectation that Wilkes would be liberated from it on this day in order to take his seat in parliament (it being the first day of its session), about fourteen persons were shot and more wounded by the precipitate firing of the military. Among the rest was a young man of the name of Allen, who had taken no part in the tumult, and was slain in an out-house belonging to his father (who lived in the neighbourhood), in the very act of imploring mercy of the soldiers who shot him. Some of the military more immediately engaged were secured by the civil power, and were on the point of taking their trial for the murder. And it is to this transaction the letter alludes.—EDIT.

given a positive promise to lord Rockingham in my favour, I did you the justice to be satisfied that all my hopes and pretensions to succeed Mrs —— were at an end. But a second promise, which I understand you have lately given to another, revives my spirits, and makes me flatter myself that you mean me no harm. I have one chance less against me than I had, for your last resolution is certainly the one you will not abide by; so that at present there is nothing in my way but your engagement to lord Rockingham, the bad effects of which I shall endeavour to remove by this letter. I feel as strongly as you how much it would violate the consistency of your character to keep your word from any motives of probity or good faith; but if I can suggest to you the means of performing your first promise to lord Rockingham, and yet continuing as great a rascal as you would wish to be, all objections on the score of integrity will be removed, and you will owe me no small obligation into the bargain. You are a mere boy, Harry, notwithstanding the down upon your chin, and would do well to cultivate the friendship of women of experience. With all due submission to Miss Nancy's[1] personal knowledge of the world, I believe she has not yet taught you the secret of keeping your word without hurting your principles. This is a science worthy of a superior genius; and without a compliment, Harry, you have talents to improve it into a system of treachery, which, though it may shorten your natural life, will make your reputation immortal.

In the first place, I presume, you will have no difficulty in breaking your word with Mrs C——y; the whole distress lies in keeping it with your friend the Marquis. My advice is, therefore, that you should order Mr Bradshaw to write to his Lordship, and assure him in the civilest terms, that 'circumstances which you had not foreseen;—that it was with infinite concern;—that his Lordship's recommendation had such weight with you;—that in any other instance;—that you flattered yourself his Lordship would be candid enough to distinguish between the minister and the man;—but that in short you were so unfortunately situated, &c. &c. &c.' Mr Bradshaw's manner will make the message palatable, and it would not be amiss if he were to carry it himself. Having disengaged yourself from lord Rockingham, you must at the same instant write me a letter of congratulation, and desire me to take possession immediately. By these expedients you will preserve all the duplicity and wayward humour of your character;—you will have the merit and satisfaction of failing to two people: you will confer a favour without obliging anybody; and your enemies give you credit for a conduct equally honourable to your morals and your understanding.

Farewell, Harry, and believe me to be, with the most perfect contempt, yours,

POMONA.

P. S. If the place is to be given in trust for Miss Parsons, I beg leave to withdraw my pretensions; for I am determined not to suffer a woman to be quartered upon me in any shape.

[1] Nancy Parsons.—EDIT.

LETTER XXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *July*, 1768.

THE spirit which once animated the London Gazette seems to have expired with the war. The learned compiler of that paper was blest with a genius equal to the description of battles and victories, but could not descend with dignity to the pacific annals of domestic economy. While our troops were sacrificed abroad, his pen was employed, with equal bravery, in murdering our language at home. He never lost a consonant from the Elbe to the Weser, or mollified one circumstance in all the guttural pomp of a German campaign. But, unfortunately for the world, his style

perished with his subject, and we see him now hardly able to support the fatigue of advertising court-mourning, and introducing foreign ministers under the auspices of Mr Stephen Cotterell. The gentle slumbers of the ministry prevail over the Gazette, in which their dreams are recorded; and if ever we see the author betray a sign of life, it is only when his principals turn in their sleep. I presume we owe the Gazette of last Tuesday [1] to an *insomnium* with which these gentlemen are sometimes troubled. The new commission of trade bears all the marks of that drowsy wildness which possesses a man, when he would fain go to sleep, but is so sore all over that he does not know which side to lie upon. One day we have a third secretary of state for a new fancy. Next day down goes poor lord Clare (not all the softness of his manners nor modest eloquence can save him) and up gets the new secretary to represent them both. Hence we might have expected a pause of a few minutes, but these gentlemen are too modest to be satisfied with any thing they do; and now for measures of vigour with a vengeance! The chief officers of the crown, having little else to do, are called from their respective departments; the prayers of a reverend prelate are desired; Messieurs Rice, Jenyns, Fitzherbert, Eliot, and Robinson still contribute their mites, and Wills earl of Hillsborough is *duly to attend the meetings*. The colonies must be ungovernable indeed if such a junto cannot govern them. In the last article the writer of the Gazette is particularly fortunate, and avails himself with his usual dexterity of all the advantage of publishing nonsense by authority. This *due attendance* will mean any thing or nothing just as the reader chooses. By the mark set upon Wills, it should seem that the other commissioners are *not* duly to attend the meetings; or perhaps government, with a laudable caution, means to guard against any *undue attendance* of the said Wills; they may possibly mean that Wills alone shall be a quorum; or it may be——but to guess at their meaning is to reason without data, so I leave it, as they have done, to be explained by contingencies.

After all, Mr Printer, these are feverish symptoms, and look as if the disorder were coming to a crisis. Even this last effort is the forerunner of their speedy dissolution; like the false strength of a delirium, which exerts itself by fits, and dies in convulsions.

C.[2]

LETTER XXVII.

TO MR WOODFALL.

SIR, 21 *July*, 1768.

I COULD not help smiling at your correspondent C.'s dreaming animadversion, in your paper of yesterday, upon the commission of the board of trade. He *modestly* fancies himself awake, while all the ministry are enveloped in darkness and dreams, and, according to him, only stir to stir no more. Thus drunkards imagine that every body reels, and that the world itself is in disorder.

He owns that his assertions are the result of guess, and that his reasonings are without the necessary data. He might have spared himself that trouble; everybody will tell him the same. Vastly displeased with

[1] The following is a copy of the article alluded to:

Whitehall, 12 *July*.

'The king has been pleased to constitute and appoint the lord high chancellor; the first commissioner of his Majesty's Treasury; the lord president of the council; the first commissioner of the Admiralty; his Majesty's principal secretaries of state; the chancellor of his Majesty's Exchequer; the lord bishop of London; and the surveyor and auditor-general of all his Majesty's revenues in America, for the time being; together with Soame Jenyns, Edward Eliot, George Rice, John Roberts, Jeremiah Dyson, William Fitzherbert, and Thomas Robinson, Esqrs., to be commissioners for promoting trade, and for inspecting and improving his Majesty's plantations in America, and elsewhere. And his Majesty has thought fit to direct that Wills, earl of Hillsborough, one of his said principal secretaries of state, shall duly attend the meetings of his said commissioners.'—EDIT.

[2] To this letter was given a short answer, which, as it produced a reply from JUNIUS, is here inserted.—EDIT.

the compiler of the Gazette, he drops him to abuse his principals; and because they do not, or choose not, to furnish his empty brain with chat for a day, or with battles, sieges, and victories in time of peace, they are therefore doing nothing, or at best are but dreaming like——*himself*. As he most sagaciously begins without his data, so he proceeds (as Mr Locke says) by *seeing a little*, perhaps like a man half awake, *presuming a great deal, and then jumping to a conclusion*. This, it is owned, he has admirably well done. He reads in the Gazette, that several of the chief officers of the crown, the bishop of London, and some others, are appointed, together with Messieurs Jenyns, Rice, Eliot, Fitzherbert, and Robinson (whom he very decently and liberally styles a *junto*), to be commissioners for trade and plantations, and that the earl of Hillsborough is duly to attend their meetings. This throws our gentleman into a trance (convincing the world that his ignorance and *insomnia* are well blended), and fraught with this intelligence, he avers that all these respectable personages are *new commissioners;* whereas in fact, from the original constitution of the board of trade, they have a right to sit there in virtue of their respective offices, though not obliged as Messrs Jenyns, &c. to *a due and constant attendance*. In every new commission of the board of trade these officers for the time being are inserted at length; and at the same time, on account of their other public avocations, they are therein released from the obligation of continually sitting at that board. As the business of the colonies has of late years much increased, it was judged necessary by the crown to appoint one other principal secretary of state for the transaction of colony affairs, which are daily increasing in their importance to this kingdom; and, perhaps, the noble Lord who is chosen to this direction, and whose masterly abilities are the object of your correspondent's invidious scurrility, is the only man of rank adequate to this arduous task in the present crisis. His Lordship is also to preside at the board of trade, for the facility and dispatch of business, and will thereby save the government (as he has no salary) the expense of a first commissioner. He is *duly to attend the meetings* of that board, which cannot, as Mr C. would *wisely* obtrude upon the public judgment, mean any thing or nothing at pleasure; for when there are no meetings his Lordship *cannot attend*, but when there are, it is his *duty*. This, every man who is awake can understand; but as for such dreamers as good Master C., I wish they might sleep more soundly, till the patriotism they attack is extinguished; and then I believe the world will not be much disturbed with the impertinent visions of such unquiet repose.

INSOMNIS.

LETTER XXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 23 *July*, 1768.

I AM willing to join issue with your correspondent *Insomnis*, that one of us is fast asleep, and submit to be tried by a jury of plain Englishmen, who may be supposed to understand their own language. If their verdict be given against him, all I desire is that you will not expose his infirmity to the public, or suffer him to say things in his sleep, which his modesty will blush for when he wakes.

In the first place, I never averred that they were all *new commissioners*, though I spoke of a *new commission*. Is it possible for a man to be awake and not distinguish between these expressions? But now for a curious discovery: the great officers of state, it seems, are bound and released by one and the same act; that is, they are bound to the public, and released in private. They figure away as men of business in the Gazette, yet by a secret stipulation are relieved from the trouble of attendance. If *Malagrida* had any interest with the present ministry, I should have no doubt that this was one of his subtle contrivances.

An ostensible engagement, with a mental reservation, is the first principle of the *morale relachée*, professed and inculcated by the Society of Jesus.

Now, Sir, observe how carefully the example is adapted to the doctrine. The state of the colonies evidently demanded some extraordinary measures of wisdom and of vigour. A pompous list of names is held forth to the public, as if the ministry were roused by the importance and difficulty of the present conjuncture, and were determined to face it with their whole strength and abilities. Such was the appearance which the new commission was intended to convey, and in this light I am very sure it was received by the public; yet *Insomnis* is so candid as to tell us, that the ministry meant no such thing; and I believe him very sincerely. A council is instituted which is never to sit, and commissioners are appointed on condition they shall never attend: a common way of throwing dust into the eyes of the public, and frequently practised with success; but I believe it is rather uncommon for a ministerial advocate to make so early and frank a confession of truths, which, though they may answer other purposes, will do his patrons but little honour in point of credit and veracity.

'*Go to, go to, you have known what you should not.*'

A man who talks in his sleep is not fit for a confidential secretary, at least to a ministry who have so many secrets to conceal.

If the duplicity of this contrivance had concerned themselves alone, I should have been contented with comparing it with the rest of their conduct, and thought no more of it. But I own it fills me with indignation to see the name of a reverend prelate so indecently treated. The respect due to his personal character, if not to the sanctity of his station, should have preserved him from so gross an outrage. To see a prelate of the first rank mixed in a low jesuitical farce of imposing upon the public with a great council, when no such matter is intended!—Seriously, Sir, I should not be surprised if his Lordship were to prosecute the writer of the Gazette for a libel. For my own part, Sir, I would rather see my name advertised among a company of buffoons at Bartlemy fair, than prostituted in a ministerial junto, to deceive and to cheat my country. A farce upon the stage may amuse at least, if not instruct, but ministerial farces are too dull to please, and seldom conclude without mischief to the audience.

I admit one proposition gravely advanced by *Insomnis*, 'that when there are no meetings, lord Hillsborough cannot attend them;' but I am not quite so clear about the article of expense. The salary of a first commissioner of trade, at three thousand pounds a year, is saved by appointing a third secretary of state at six or seven, besides all the expense of a new office. But *Insomnis* unfortunately forgets that if Mr Thomas Townshend, contrary to all expectation, had not refused the vice-treasurership (because the offer of it was attended with an insult) there would have been no room to provide for lord Clare, consequently he must have remained first commissioner of trade, and all this charming plan of economy, facility, and dispatch must have waited till another opportunity.

And now, Mr *Insomnis*, I shall leave you to your repose. Your patrons indeed may turn, and turn, and get no rest; but what occasion is there for your sitting up to watch them?

'*Thou, quiet soul, sleep thou a quiet sleep.*'

Above all things let me recommend it to you, never to pretend to be awake for the future. Your eyes and ears, perhaps, are open, but their sense is shut, and really it is not very polite of you to come into company in your night-cap.

C.

LETTER XXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 30 *July*, 1768.

IT is not many months since[1] you gave me an opportunity of demonstrating to the nation, as far as rational inference and probability could extend, that the hopes which some men seemed to entertain, or to profess at least, with regard to America, were without a shadow of foundation. They seemed to flatter themselves that the contest with the colonies, like a disagreeable question in the House of Commons, might be put off to a long day, and provided they could get rid of it for the present, they thought it beneath them to consult either their own reputation, or the true interests of their country. But whatever were their views or expectations, whether it was the mere enmity of party, or the real persuasion that they had but a little time to live in office,[2] every circumstance which I then foretold is confirmed by experience. The conduct of the king's servants in relation to America, since the alteration in 1765, never had a reasonable argument to defend it, and the chapter of accidents which they implicitly relied on, has not produced a single casualty in their favour. At a crisis like this, Sir, I shall not be very solicitous about those idle forms of respect, which men in office think due to their characters and station; neither will I descend to a language beneath the importance of the subject I write on. When the fate of Great Britain is thrown upon the hazard of a die, by a weak, distracted, worthless ministry, an honest man will always express all the indignation he feels. This is not a moment for preserving forms, and the ministry must know that the language of reproach and contempt is now the universal language of the nation.

We find ourselves at last reduced to the dreadful alternative of either making war upon our colonies, or of suffering them to erect themselves into independent states. It is not that I hesitate now upon the choice we are to make. Everything must be hazarded. But what infamy, what punishment do those men deserve, whose folly or whose treachery hath reduced us to this state, in which we can neither give up the cause without a certainty of ruin, nor maintain it without such a struggle as must shake the empire? If they had the most distant pretence for saying that the present conjuncture has arisen suddenly, that it was not foreseen and could not be provided for, we should only have reason to lament that our affairs were committed to such ignorance and blindness. But when they have had every notice that it was possible to receive, when the proceedings of the colonies have for a considerable time been not less notorious than alarming, what apology have they left? Upon what principle will they now defend themselves? From the first appearance of that rebellious spirit which has spread itself all over the colonies, the chief members of the present ministry were the declared advocates of America. Every art of palliation, of concealment, and even of justification, was made use of in favour of that country against Great Britain. Some there were who did not even scruple to pledge themselves for the future submission and loyalty of the colonies. Every principle of government was subverted, and such absurdities maintained as common sense should blush for. When all these arguments failed, and when the proceedings of the colonies gave the lie to every declaration made for them by their patrons here, still the ministry thought it not too late for further temporizing and delay. Even after the combination at Boston they would not suffer parliament to be informed of the real state of things in that province. They endeavoured to conceal the most atrocious circumstances, and what they could not conceal they justified. Mr

[1] See Miscellaneous Letter, No. X.—EDIT.

[2] The Rockingham administration, which lasted from July 10, 1765, to July 30, 1766.—EDIT.

Conway[1] since last December has, in the face of the House of Commons, defended the resistance of the colonies upon what he called revolution principles; and when a paper, printed at Boston, was offered to the House, as containing matter of the highest importance for the information of parliament, the ministry would not suffer it to be read because they knew it would be found too bad to be passed over.

If we look for their motives, we shall find them such as weak and interested men usually act upon. They were weak enough to hope that the crisis of Great Britain and America would be reserved for their successors in office, and they were determined to hazard even the ruin of their country, rather than furnish the man[2] whom they feared and hated, with the melancholy triumph of having truly foretold the consequences of their own misconduct. But this, such as it is, the triumph of a heart that bleeds at every vein, they cannot deprive him of. They dreaded the acknowledgment of his superiority over them, and the loss of their own authority and credit, more than the rebellion of near half the empire against the supreme legislature. On this patriotic principle they exerted their utmost efforts to defer the decision of this great national cause till the last possible moment. The timidity, weakness, and distraction of government at home, gave spirits, strength, and union to the colonies, and the ministry seemed determined to wait for a declaration of war with our natural enemy, before they attempted to suppress the rebellion of our natural subjects. At last, however, they are compelled to take a resolution which ought to have been taken many months ago, and might then have been pursued with honour to themselves, and safety to this country. How they will support it is uncertain. A resolution, adopted by a small majority in a divided council, can be but little depended on. It must want the first strength of union, and what effect can we hope for even from a vigorous measure, when the execution of it is committed, most probably, to one of the persons who have professed themselves the patrons of lenient moderate measures, until the very name of lenity and moderation became ridiculous? They will execute by halves; they will temporize and look out for expedients; they will increase the mischief; they will defer the stroke until we are actually involved in a war with France; and when they have made the game desperate, they will resign their places, to save themselves, if possible, from the resentment of their country.

In this situation I am rather afflicted than surprised at the shock which public credit has just received. The weight of the funds is of itself sufficient to press them down. How then should it be possible for them to stand against evils, which separately might overturn the most flourishing state, and which are fatally at this moment united against Great Britain. The rebellion of her subjects; the too probable apprehension of a foreign war; and a weak, distracted administration at home. Yet, Sir, I hope there is still blood enough in our veins to make a noble stand even against these complicated mischiefs. Far from despairing of the republic, I know we have great resources left, if they are not lost or betrayed. A firm united administration, with the uniform direction of one man of wisdom and spirit, may yet preserve the state. It is impossible to conceal from ourselves, that we are at this moment on the brink of a dreadful precipice; the question is, whether we shall still submit to be guided by the hand which hath driven us to it, or whether we shall follow the patriot voice[3] which has not ceased to warn us of our dangers, and which would still declare the way to safety and to honour.

[1] Mr Conway moved the repeal of Mr Grenville's Stamp Act, and introduced the Declaratory Act.—EDIT.

[2] George Grenville.—EDIT.

[3] Mr G. Grenville's. See this subject further continued in Miscellaneous Letter, No. XXXI. —EDIT.

LETTER XXX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 5 *August*, 1768.

AN unmerited outrage offered to a great or a good man naturally excites some emotions of resentment even in hearts that have the least esteem for virtue. At particular moments the worst of men forget their principles, and pay to superior worth an involuntary tribute of sympathy or applause. We ought to think well of human nature when we see how frequently the most profligate minds are generous without reflection. But if a case should happen, wherein a character not merely of private virtue, but of public merit, receives an insult equally indecent and ungrateful, this common concern is increased by that share of interest, which every man claims to himself in the public welfare. A government, shameless or ill-advised enough to treat with disregard the obligation due to public services, not only sets a most pernicious example to its subjects, but does a flagrant injury to society, which every member of it ought to resent. Reflections such as these crowded upon my mind the moment that I heard that the late commander-in-chief in America had been dismissed without ceremony from his government of Virginia. I was grieved to see such a man so treated, but when I considered this step as an omen of the real resolution of the ministry with respect to America, I forgot, as he himself will do, the private injury, and lamented nothing but the public misfortune. At a time when the most backward of the king's servants have been compelled to acknowledge the necessity of vigorous measures, when these measures are held out to the nation with a declaratory assurance that *now at last we are determined*, the resolution to deprive sir Jeffery Amherst of his post in America cannot but be received as a direct contradiction to all those professions. If they had sincerely meant to do their duty to their country; if they had really adopted measures of vigour, and wished to carry them into execution, instead of depriving him of his post, they would have solicited him to return to America, and take upon him the conduct of those measures. His prudence and moderation are as well known as his spirit and firmness, and who will dare to say that he would have refused an employment which the service of his king and country called upon him to accept? He went to America in circumstances as little favourable as the present; he met an enemy at all times formidable, and at that juncture strengthened by success. He conquered that enemy, and united the dominion of the whole continent to Great Britain. In every light he was the man to have been chosen, if the ministry had really meant to execute their own resolution with vigour. But if it be their design to surrender every point to America, they could not have acted more consistently with such a plan, than by dismissing sir Jeffery Amherst from his post, and appointing lord Boutetort to succeed him. No collusive bargain could have been made with the former, nor any base unworthy compliances expected from him. He had honour, as much as any man, to lose, nor even felt the necessity of repairing a broken fortune. Had he been entrusted with a command upon this important occasion, he would have executed the declared, not the secret, purpose of the administration. With such a character it is easy to see how unfit he was to be trusted with the conduct of measures destined to perish at their birth. But although he might not be entitled to the confidence of the king's servants, in what instance has he deserved such ungratefnl treatment? Could they find no other man to mark out to the public as an object of slight and disrespect? Could the wantonness of their power find no other way of providing for a needy dependant? Surely, Sir, the choice was at least injudicious. Lord Hillsborough might have found some more honourable method of distinguishing his entrance into administration; nor do I think it a very favourable

omen to lord Boutetort, that his patrons have fixed upon Virginia as a retreat for his distresses. Seven years are too many to spare out of a life of sixty, to say nothing of the rarity of a man's returning from that country and surviving the next sessions.

L. L.

LETTER XXXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *6 August*, 1768.

WHETHER it be matter of honour or reproach, it is at least a singular circumstance, that whoever is hardy enough to maintain the cause of Great Britain against subjects who disown her authority, or to raise his voice in defence of the laws and constitution, is immediately pointed out to the public for Mr Grenville's friend. From such language one would think that the order of things was inverted, and that conspiracy had changed its nature. Mr Grenville and his friends it seems are suspected of some dangerous designs, not to destroy, but to preserve the laws and constitution of their country. This is certainly a reproach of the latest invention. I know there are men whose characters are safe against suspicions of this sort, and who form their friendships upon other more useful maxims. But whether it be owing to the weakness of his understanding, or to the simplicity of his heart, that he pursues a conduct so useless to himself and so suspicious to the administration, it is surely a pardonable error, and what an Englishman may yet forgive. It is true he professes doctrines which would be treason in America, but, in England at least, he has the laws of his side, and if it be a crime to support the supremacy of the British legislature, the Sovereign, the Lords, and Commons are as guilty as he is. The ministry indeed have no share in the charge, and it would be uncandid not to confess that their regard for the honour and interest of this country is upon the same level with their friendship for Mr Grenville.

For my own part, whatever your correspondents, *Moderator* and *Tandem*, may think of me, I shall content myself with some interior feelings which I fancy they are not much acquainted with ; nor will I perplex them with a language they are incapable of understanding. Whether I am determined by motives which an honest man might profess, or by such as those gentlemen usually act upon, is a point that will not admit of demonstration. I shall therefore leave their principles out of the question, and try what their arguments amount to.

Moderator and I are, for the most part, agreed. He allows 'that government is sunk into a contemptible state ; that their measures have failed of success, and is convinced that if the reverse had been practised, the mischief had been avoided.' What conclusion his understanding will draw from these premises, I do not know ; but I think the most violent enemy of the present administration could not have argued more strongly for a change of hands and a change of measures.

The author of the second letter, finding nothing that will answer his purpose in the present state of things, is obliged to carry us back to the original question of the right and expediency of taxing America. I shall not enter into the question of right, because it has been already determined by the legislature, to which an Englishman still owes some degree of submission. For the matter of expediency, an advocate for the present ministry seems to me to arraign his patrons when he argues against it. One part of them uniformly concurred with Mr Grenville in forming the Stamp Act, and in opposing the repeal of it. The other, to serve the purposes of party, repealed that act, yet showed by their conduct that they approved of the equitable principle on which it was founded, that America should contribute a little to the support of the public expense. The repeal of the Stamp Act has been followed by other acts more

offensive to the colonies, more directly exerting the right of taxation, and which will hardly be executed without some extraordinary efforts on the part of government. Was the act for suspending the assembly of New York recommended by Mr Grenville? Or was it he who advised the duties on paper, glass, &c. imported into the colonies? No, Sir, his successors have paid him the highest compliment by imitating the system which they had affected to condemn; and in fact they have carried his principles further than he did, or probably than he would have carried them. But it is the natural defect of a weak divided administration, that they can neither resolve with moderation, nor execute with firmness.

As to the questions which your last correspondent puts to me, with a sort of heat and petulance not very decent, one plain answer will, I believe, be sufficient. If the pretensions of the colonies had not been abetted by something worse than a faction here, the Stamp Act would have executed itself. Every clause of it was so full and explicit that it wanted no further instruction; nor was it of that nature that required a military hand to carry it into execution. For the truth of this answer I am ready to appeal even to the Americans themselves. As to the merit of having foreseen the unavoidable consequences of an inconsistent irresolute system of measures, I shall place it as low as your correspondent can desire. Even he might have foreseen what has happened without waiting for the event. But to foretell those consequences; — to speak truth to the nation;—to warn even an adversary of his danger; to persevere in this upright manly conduct, is indeed a merit of another sort, and reserved for other virtues.[1]

Your correspondent confesses that Mr Grenville is still respectable; yet he warns the friends of that gentleman not to provoke him, lest he should tell them what they may not like to hear. These are but words. He means as little when he threatens as when he condescends to applaud. Let us meet upon the fair ground of truth, and if he finds one vulnerable part in Mr Grenville's character, let him fix his poisoned arrow there.

[1] The following letter from Mr G. Grenville to Mr Knox, formerly under secretary of state to lord Hillsborough, is extracted from the second volume of a small work published by Mr Knox, entitled 'Extra Official State Papers,' and is here copied to give the reader an idea of the political sentiments entertained by Mr Grenville with respect to America, as developed by himself in his private correspondence with this gentleman.

DEAR SIR, *Woolton, 28 August*, 1768.

THE account which you gave to me in your letter of the 23rd of this month, of the late transactions at Boston, seems so natural a consequence of the measures taken in Great Britain, and the state and temper of the government here, that whatever degree of concern it may give me, I cannot feel the least surprise at it. If the eyes of those who are most interested in this most unhappy situation had been sooner opened to the most obvious truths, many mischiefs might have been prevented; if the authentic proofs which they have now received of what has happened, is not sufficient to convince them, I will venture to foretell without a spirit of prophecy, *greater calamities will, when it is too late, rouse them and the whole kingdom from the lethargy, as to all public measures, into which they have been plunged. I have long feared that the conduct holden in Great Britain would encourage and delude the subjects of America, till they would come to extremities of one kind, which would too probably end in extremities on the other side.* I may appeal to you, as a private man, and as a member of parliament, to my public declarations, that my opinions upon this subject have ever been uniformly the same. They will still continue to be so, until I see much better reasons for changing them, than any which I have yet heard. What prospect there can now be that they will be attended with success, I cannot pretend to answer; but if there is no plan formed upon the sound principles of this constitution, supported both by firmness and temper, I can answer, that no good success in the present difficult situation, can arise from one desultory measure after another. The respect and affection of its subjects is the basis on which every wise government must be founded; but if that foundation has been once overturned, it is not the work of a day to temper the materials, so as to unite and rebuild them, especially if the workmen shall be daily changed, and each work by a different rule and line from that of his predecessor.

I am, &c.

EDIT. GEO. GRENVILLE.

LETTER XXXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 10 *August*, 1768.

YOUR new correspondent *Virginius* might have saved himself the trouble of dating his letter from the Carolina coffee-house. We are a little better acquainted than he imagines with the style of the secretary of state's office, as well as with the facts respecting sir Jeffery Amherst's dismission. When he calls lord Boutetort the best of men, I suppose he means the best of courtiers. If bowing low and carrying the sword of state constitute merit and services, I confess there are few men to whom government is more indebted than to his Lordship. As to those insinuations which *Virginius* calls malevolent, it would have answered his purpose a little better if he could have proved them false. Why does he not? Because they are not only true, but notoriously true. What say you to the copper mines, *Virginius?* I fancy his Lordship would not have been so fond of residing in Virginia, if he could have continued to reside here either with safety or convenience. Reflections on characters merely private, ought, I own, to be discouraged. But let it be remembered that this courtier might have lived and died in obscurity, if he had not forced himself into the public notice, by robbing another man of an appointment, expressly given him in reward for the most honourable national services. The discontent of the province of Virginia at being governed by a lieutenant-governor instead of a governor is a mere fiction trumped up by lord Hillsborough and his secretary to serve this dirty purpose; it was never heard of before, and if sir Jeffery Amherst was really desired to repair to his government, it was not only a most scandalous breach of conditions with him, but a most impudent mockery. Lord Hillsborough knew it was impossible he could return to America to be under the command of general Gage, and that therefore he might put the alternative to him with safety. By this farce lord Hillsborough thought he could throw a colour upon the matter, and that the nation would be misled by it. What a poor contemptible artifice! Thus it usually happens with bunglers. They cannot even be mischievous with dexterity, nor do a public injury without insulting the public understanding.

LUCIUS.

LETTER XXXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *August*, 1768.

THE greatest part of my property having been invested in the funds, I could not help paying some attention to rumours or events, by which my fortune might be affected: yet I never lay in wait to take advantage of a sudden fluctuation, much less would I make myself a bubble to bulls and bears, or a dupe to the pernicious arts practised in the alley. I thought a prudent man, who had any thing to lose, and really meant to do the best for himself and his family, ought to consider of the state of things at large, of the prospect before him, and the probability of particular events. A letter which appeared some days ago in the Public Advertiser, revived many serious reflections of this sort in my mind, because it seemed to be written with candour and judgment. The effect of those reflections was, that I did not hesitate to alter the situation of my property. I owe my thanks to that writer that I am safely *landed* from a troubled ocean of fear and anxiety, on which I think I never will venture my fortune and my happiness again. Perhaps it may not be useless to individuals to see the motives on which I have acted.

In the first place, I consider this country as in a situation the like of which it never experienced before, but which the greatest empires have experienced in their turn. The successes of the late war had placed us

at the highest pinnacle of military glory. Every external circumstance seemed to contribute to our prosperity; the most formidable of our enemies were reduced, and commerce had promised to increase with the extent of our dominion. But at this point I fear we met with our *ne plus ultra*. The greatness of a kingdom cannot long be stationary. That of Great Britain carried in itself an interior principle of weakness and decay. While the war continued, our superiority at sea gave us an exclusive commerce with the richest quarters of the world, and supplied us with wealth to support such efforts as no nation ever made before. But when the conclusion of peace had restored our rivals to the enjoyment of their former trade, the very efforts which had maintained the war rendered it impossible for us to meet those rivals upon equal terms in foreign markets. The national debt had risen to a point so far beyond the reach of economical speculations, that the diminution of the principal almost ceased to be a question, and the ministry found difficulty enough in providing funds for payment of the interest. Here then we find an interior principle of decay, the operation of which is not less certain than fatal. The increase of your debt requires a proportionate increase of trade, at the same time that it not only prevents that increase, but operates in the contrary direction. A newspaper will not admit of such a deduction, or I would undertake to demonstrate, that all the profitable part of our foreign trade is lost, and that in what remains the balance is considerably against us. But the fact is notorious. The situation of our East-India trade is so far altered for the better, that we do not send such quantities of bullion as heretofore to China, and indeed we have it not to send. Yet the resources of this trade are at the best but precarious: nor is the balance of it even now clearly in our favour. A single defeat in India (an event not quite out of the limits of possibility) would go near to annihilate the company. But it was in the colonies that our best and surest hopes were founded. Their exclusive commerce would have supported our home manufactures, when other markets failed, and rewarded us in some measure for that security and extent of dominion which the blood and treasure of this country had purchased for them. Here too our most reasonable expectations are disappointed. Not only the merchant who gives credit on the security of personal good faith is ruined by it, but, in a public view, the sum of the debts of individuals is held out *in terrorem*, to awe us into a compliance with pretensions which shake the foundation of our political existence. We shall be woefully deceived if we form our calculations of the real state of trade, on the large commissions, long credit, or extensive enterprises of particular merchants. The commercial prosperity of a nation depends upon the certainty of the return, not on the magnitude of the venture. As things are now managed in the city, the greatest house falls first, and draws with it the ruin of a multitude of little ones. Next to the parties immediately concerned, the public creditors will be the first to feel the consequences of this ruinous system. The funds allotted for their security, depend chiefly upon the produce of the customs; these depend upon your trade, and it requires no prophet to foretell, that a false and ruinous system of trade cannot long be maintained. It begins with private beggary, and ends in public ruin. I do not pretend to say that the landholder will be quite at his ease, when public credit is shaken. But his at least is a solid security; the other a mere bubble, which the first rude breath of ill-fortune or of danger may reduce to nothing.

I wish it could be proved, that any one circumstance in this representation is false or exaggerated. On the other hand, if it be true, the concealment of a moment more or less signifies nothing. It is agreed on all hands, that we are in no condition to meet a war. Our enemies know and presume upon it. The experience of many centuries sufficiently proves, that their natural restlessness will not long permit

them to observe the conditions of any peace. At present they have other additional motives to draw them into action. The articles of the last peace dishonoured them in the eyes of Europe. Necessity alone compelled them to submit to it. As long as the necessity subsists, the peace will be maintained. In the mean time, they hazard such strokes as would be a just foundation of a war, if we had strength or spirits to renew it. Dunkirk remains undemolished, and Corsica[1] is added to the dominion of France. They know the miserable state of our finances, the distraction and weakness of our government, and above all, the alarming differences which threaten a rupture with our colonies. To suppose that they will not take advantage of these circumstances, is supposing that a few years have changed the stamina of a French constitution. On the other hand, to say that they are as little in a condition to make war as ourselves is mere trifling. Their enterprises prove the contrary. Their finances are upon a much better footing than ours, and at the worst, they have a remedy, which a British parliament will never make use of, but in the last extremity. The French apply it without scruple, and, as far as I can observe, without any bad effect to themselves. In short, they consider our weakness more than their own strength, in adherence to their old policy, *que la foiblesse de l'ennemi fait notre propre force.*

A prudent man, whose property is in the funds, would do well to consider the truth of this representation. What security has he, when the slightest rumour of bad news from America robs him of four or five per cent. upon his capital, when worse news from that quarter is expected every hour, and when the expectation of a foreign war is founded on facts and reasoning strong enough to constitute the clearest moral certainty? To say that public credit has hitherto passed safely through the fiery trial of war and rebellion, proves nothing. No conclusion can be drawn from a debt of forty-six millions, at which it stood in 1740, to the present debt of one hundred and forty millions. At that time our resources were hardly known, at this period they are known and exhausted. We are arrived at that point when new taxes either produce nothing, or defeat the old ones, and when new duties only operate as a prohibition; yet these are the times, Sir, when every ignorant boy thinks himself fit to be a minister.[2] Instead of attendance to objects of national importance, our worthy governors are contented to divide their time between private pleasures and ministerial intrigues. Their activity is just equal to the persecution of a prisoner in the King's Bench,[3] and to the honourable struggle of providing for their dependants. If there be a good man in the king's service, they dismiss him of course; and when bad news arrives, instead of uniting to consider of a remedy, their time is spent in accusing and reviling one another. Thus the debate concludes in some half misbegotten measure, which is left to execute itself. Away they go:—one retires to his country-house; another is engaged at a horse-race; a third has an appointment with a prostitute;—and as to their country, they leave her, like a cast off mistress, to perish under the diseases they have given her.

ATTICUS.

[1] See Letters III. and XII., in which the subject is again mentioned by the author and explained in the notes.—EDIT.

LETTER XXXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 23 *August*, 1768.

AMIDST the general indignation which has been excited by the marked affront lately put upon sir Jeffery Amherst, it is odd to find people puzzling themselves about the motives which have actuated administration in this extraordinary procedure.

[2] The duke of Grafton was first lord of the Treasury at this period.—EDIT.

[3] Wilkes.—EDIT.

Nothing is more short and easy than the solution of this affected difficulty. They were *ordered* to act in this manner.

The public knows, and *can* know, no other reason. The ministry know, and *desire* to know, no other reason. They have not the slightest quarrel with sir Jeffery Amherst. They have not the most trivial regard for lord Boutetort. Some of them are known even to hate his Lordship; the rest are scarcely acquainted with him; but they have received the *order*, and that is enough for *them*. Their whole political system is wrapped up in one short maxim—

'My *author* and *disposer!* what thou bid'st,
Unargued I obey!'

In this lesson they are perfect to a miracle; and the signal proof they have just given of their daring and determined servility, shows them altogether worthy of that confidence which the favourite so wisely reposed in them (during his pleasure), the depositaries of his intentions, and the trustees of his power.

But although it be in vain to seek for any higher principle than blind obedience in the *formal and executive* members of the ministry, it is worth while to examine a little more minutely the motives which might actuate in this affair, the secret but *deliberative and guiding* part of administration.

Can we believe from the monstrousness, or can we doubt from the notoriety, of the fact, that the *political principles* held by the present governor of Virginia, during the greatest part of his life, and avowed almost without a mask, could be his sole recommendation to that employment? Can we believe that these *principles* constitute such a transcendent degree of merit, as makes it necessary to reward its possessor at the expense of the national honour, gratitude, and safety? Such merit must be served in any way, and at any price. A *peerage*, which every one knows could not be had without the royal countenance, was not sufficient. It was too little that he was put into an honourable employment near the *person* of his sovereign. After an unsuccessful attempt to reward him further by a violation of our laws in an *illegal patent*, he is now to be provided for by the ruin of our affairs in a critical and important government.

As a part of this system, and in order to give it a due roundness and relief, it was thought proper not only to affront living merit, but to insult and trample upon the sacred ashes of the dead. It was not forgot under whose patronage sir Jeffery Amherst first appeared in the world. It was not forgot that he was one of the many public benefits derived to this country from that great school of military knowledge and loyal sentiments, the family of the late duke of Cumberland. Here was a glorious opportunity of cherishing a true friend to despotism, and at the same time of insulting the memory of him who had been the heavy scourge, and (it was once hoped) the final destroyer of that cause. This opportunity was not lost.

To return: I have said that the justly obnoxious principles at which I have hinted, constitute, or *seem* at least to constitute, the *sole* merit of the new governor. If the friends of the ministry can discover any other, they would be very kind to mention them. The public looks upon this transaction in a very serious light. Nothing but the strongest conviction that the very salvation of America depends upon the abilities of lord Boutetort, can reconcile them to the affront which has been put upon sir Jeffery Amherst.

They derive no consolation from being told that this meritorious commander had received a previous intimation to repair to his government, with which he showed himself unwilling to comply. They are as dissatisfied as ever; first, because the fact itself, standing upon no higher authority than ministerial assertion, will be disputed. Falsehood is a servile vice; and to the imputation of that vice people in a slavish condition, whether low or high (for servitude, as well as hell, has its ranks and dignities), will always be subject; especially if ministers are known to have found the

dexterous art of splitting themselves, and possessing one character in which to promise, and another in which to act.[1]

But with all the advantage of their supple habits, and of their double characters, will they venture to assert, that the arrangement in favour of lord Boutetort was not determined upon *before* they had consulted sir Jeffery Amherst concerning a residence in Virginia? In the next place, did they not know that his residence in the character of governor in America, where he had before commanded in chief, was a thing incompatible with all the ideas entertained by military men concerning rank and precedence? And if so, was not the order for residence given (if it was given) that it might be disobeyed? Is it not an heavy aggravation, instead of the least excuse for their offence?

Lastly, the public would be glad to know how it comes that this grand ministerial reformation was taken up in this single instance; it made no part of a general arrangement. If it were done in consideration of the colonies, let me ask, whether the people of Virginia have lately complained of the absence of their governor, under which they have acquiesced upwards of fifty years? If it was done on the part of Great Britain, again let me enquire whether the lieutenant-governors, who have acted during those fifty years, have wanted authority, knowledge, or capacity? If they did, in what manner is the defect supplied by the new appointment? Is the new governor invested with any larger powers than the late lieutenant-governors? Or is he endued with a greater degree of experience, knowledge, or sagacity for the exercise of those powers? No, no; the manner of filling the vacancy made by the removal of sir Jeffery Amherst sets in the broad glare of day-light the true reasons for making it; it was not done to reform a public abuse, but to accommodate a private job; it was not *Virginia* that wanted a governor, but a court favourite that wanted the salary.

I cannot help observing in the ministerial writings with which the papers have been lately filled, that much scurrilous abuse has been thrown out against the Whig party and Whig principles. Permit me to congratulate the ministers on this well-chosen topic: the defence is worthy of the cause. They tell us, that all party distinctions ought to be done away, and that men of all kinds ought to have an equal share in public employment. This notion, taken with due corrections, has some sense, but in their application much absurdity. No man would prevent the public from being served by the abilities of any person, because he might have the misfortune in some time of his life to be mistaken in his political opinions or connexions. But every Whig thinks it fair, that persons under such circumstances should be obliged to produce some *other* merit besides those *mistakes;* and that they should give some other proofs of their conversion to the principles of our happy establishment, than their necessity, or their desire of partaking in the emoluments which it has to bestow.

This surely is the sentiment and language of candour and moderation. This ought to be the inviolable rule where the question is concerning offices of trust, and which require weight and ability for their execution. When the question is concerning the mere graces of the crown, the rule is, to become even more severe; and every lover of the constitution must think it a crime hardly less than treason in those who shall advise a court to discountenance the families which have promoted the revolution, and at the same time to load with its favours those who (reconciled by profit, not by opinion) have ever been the declared enemies both of the revolution, and of every benefit we derive from the happy event. You may hear again from

Your humble servant,

VALERIUS.

[1] See Miscellaneous Letter, No. XXI. — EDIT.

LETTER XXXV.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 29 *August*, 1768.

THE honourable lead you have taken in the affairs of America, hath drawn upon you the whole attention of the public. You declared yourself the single minister for that country, and it was very proper you should convince the world you were so, by marking your outset with a *coup d'eclat*. The dismission of sir Jeffery Amherst has given a perfect establishment to your authority, and I presume you will not think it necessary or useful to hazard strokes of this sort hereafter. It will be adviseable at least to wait until this affair is forgotten, and, if you continue in office till that happens, you will surely be long enough a minister to satisfy all your ambition.

The world attributes to your Lordship the entire honour of sir Jeffery Amherst's dismission, because there is no other person in the cabinet, who could be supposed to have a wish or motive to give such advice to the crown. The duke of Grafton and the chancellor were once lord Chatham's friends. However their views may now be altered, they must know it would disgrace them in the eyes of the public, to offer an unprovoked outrage to a man whose conduct and execution had contributed not a little to their patron's glory.

The duke of Bedford and his friends have uniformly held forth sir Jeffery Amherst as the first military man in this country;—they have quoted him on all occasions, when military knowledge was in question, and even been lavish in his praise. Besides, they openly disclaim any share in this measure, and they are believed.

The earl of Shelburne usually finds himself in opposition, therefore is not too often consulted. In this instance he certainly did not concur with the majority. He still is, or pretends to be, attached to lord Chatham, and I fancy he is not yet so cordially reconciled to the loss of the American department, as to dishonour himself merely to oblige your Lordship.

You will not venture to insinuate that sir Jeffery Amherst was dismissed by the advice of lord Granby or sir Edward Hawke. Military men have a sense of honour which your Lordship has no notion of. They feel for a gallant officer who had his full share in the toils and honour, and had some right to a share, in the profits of the war. They feel for the army and the navy. Lord Granby himself has *some* emoluments besides his power, and sir Edward Hawke has his pension. Nobly earned I confess, but not better deserved than by the labours which conquered America in America. Besides, my Lord, the commander-in-chief is the patron of the army. It was a common cause which he could not desert without infamy and reproach. Lord Granby is not a man to take his tone from any minister. Where his honour is concerned, he scorns to adopt an humble ministerial language; he never would say—*that indeed sir Jeffery Amherst was rather unreasonable—that his terms were exorbitant, that he had still two regiments left; and might well be contented.*—This is a language it is impossible he should hold, while he himself is master-general of the ordnance, colonel of the blues, and commander-in-chief, with a whole family upon the staff. He knows the value, and could not but be sensible of the loss, of those honourable rewards which his distinguished capacity, his care of the public money, and his able conduct in Germany had justly entitled him to.

I think I have now named all the cabinet but the earl of Chatham.

His infirmities have forced him into a retirement, where I presume he is ready to suffer, with a sullen submission, every insult and disgrace that can be heaped upon a miserable, decrepit, worn out old man. But it is impossible he should be so far active in his own dishonour, as to advise the taking away an employment, given as a reward for the first military success that distinguished his entrance into administration. He is indeed a compound of contra-

dictions, but his letter to sir Jeffery Amherst stands upon record, and is not to be explained away. You know, my Lord, that Mr Pitt therein assured sir Jeffery Amherst, that the government of Virginia was given him merely as a reward, and solemnly pledged the royal faith that his residence should never be required. Lost as he is, he would not dare to contradict this letter. If he did, it would be something more than madness. The disorder must have quitted his head, and fixed itself in his heart.

The business is now reduced to a point; either your Lordship advised this measure, or it happened by accident. You must suffer the whole reproach, for you are entitled to all the honour of it. What then is apparently the fact? one of your cringing, bowing, fawning, sword-bearing brother courtiers[1] ruins himself by an enterprise,[2] which would have ruined thousands if it had succeeded. It becomes necessary to send him abroad. Sir Jeffery Amherst is one of the mildest and most moderate of men;—ergo, such a man will bear any thing. His government will be a handsome provision for Boutetort, and if he frets—why he may have a pension. Your emissaries lose their labour, when they talk with so much abhorrence of sinecures, non-residence, and the necessity of the king's service. You are conscious, my Lord, that these are pompous words without a shadow of meaning. The whole nation is convinced that the fact is such as I have stated it. But to make it a little plainer, I shall ask your Lordship a few questions, to which the public will expect, and your reputation, if you have any regard for it, demands, that you should give an immediate and strict answer.

1. When the government of Virginia was offered to sir Jeffery Amherst, did he not reply, that his military employments took up all his time, and that he could not accept the government if residence were expected?

2. Did not Mr Pitt, then secretary of state, assure him in the king's name, that it was meant only as a mark of his Majesty's favour, and that his residence would never be expected?

3. Has there ever been any further mark of favour conferred upon this gentleman, for all those important services, which succeeded the conquest of Cape Breton?

But now for questions of a later date.

1. Was not lord Boutetort's appointment absolutely fixed, on or before Sunday the 31st of July?

2. Had sir Jeffery Amherst the least intimation of the measure before Thursday the 4th of August?

3. Was it not then mentioned to him in general terms, as a measure merely in contemplation, without the most distant hint that lord Boutetort, or any other person, was actually in possession of his government.

4. Did not lord Boutetort kiss hands the next day, that is, on Friday the 5th of August?

5. Did you not dare to tell your sovereign that sir Jeffery Amherst was perfectly satisfied, when you knew your treatment of him was such as the vilest peasant could not have submitted to without resentment?

Finally, my Lord, is it not a fact, that sir Jeffery Amherst, having been called upon some time ago to give his opinion upon a measure of the highest importance in America, gave it directly against a favourite scheme of your Lordship; and is not this the real cause of all your antipathy to him? Your heart tells you that it is.

Now, my Lord, you have voluntarily embarked in a most odious, perhaps it may prove to you a most dangerous, business. Your Pylades will sneak away to his government; but *you* must stand the brunt of it here. For the questions which I have proposed to you, I must tell you plainly, that they *must and shall* be answered.

You may affect *to take no notice of them*, perhaps, and tell us *you treat them with the contempt they deserve*. Such an expedient may be wise and spirited enough when applied to a declaration of rebellion on the part of the colonies, and God

[1] Lord Boutetort.
[2] The W——y Company.

knows it has succeeded admirably. But it shall not avail you here.

Num negare audes? Quid taces? Convincam si negas.

LUCIUS.

LETTER XXXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 30 *August*, 1768.

I SHALL not pretend to enter into the merits of sir Jeffery Amherst's dismission from his government of Virginia. Everybody knows he deserves a great deal of the public: and if what I have heard be true, even the present administration do not refuse it him. But there are a number of busy incendiaries, who use every means to poison the minds of the good people of England, and to abuse those in power, whoever they are. These neither inquire into the truth of the matter, nor do they fail to show the most disagreeable view of every action of the ministry. An impudent varlet, Y. Z., in this day's paper, talks of forty or fifty lives lost in St George's fields. When was it? Others have heaped together a parcel of ill-natured lies, and given it the name of an account of the dismission of sir Jeffery Amherst.

The particulars of sir Jeffery Amherst's dismission, I am told, are as follow: for very urgent reasons it had been determined the governor-general of every province in America should reside. Upon which lord Hillsborough wrote a letter to sir Jeffery, acquainting him of this resolution. After making very honourable mention of his service in America, how much his country was obliged to him for that activity, steadiness, and courage, which so eminently distinguished the commander, and which from his example diffused itself through the whole army, by which means the British arms were crowned with success, and the war so happily concluded in that part of the world; he mentioned the very high opinion his Majesty had of him both as a man and as a soldier, and how much it would be to his satisfaction, was it suitable to sir Jeffery's inclinations and circumstances, to go to Virginia and take upon him the supreme command in that province: but if it was not convenient, he might depend on it, that his Majesty would take the earliest opportunity of doing justice to his merits, by making him a recompence equivalent at least to the loss of his government.

This letter was scarce finished when sir Jeffery Amherst called at lord Hillsborough's on some other business. His Lordship took that opportunity to explain the intentions of administration by such a measure, gave him the letter, and sir Jeffery seemed to be convinced of the necessity of the arrangement, acquiesced in the proposals made to him, and went away to all appearance well satisfied.

If it was next day, or not, I know not, but sir Jeffery very soon after this demanded an audience of his Majesty, and resigned the command of his regiments.

This not being accepted of, and the ministry willing to keep such a man in the service, and not wishing to give cause for his resignation, endeavoured to reason with him; upon which he (sir Jeffery Amherst) delivered or sent to the duke of Grafton the following articles of accommodation.

1. A British peerage to himself, and failing heirs of his body, to descend to his brother the colonel.

2. A recompence equivalent to the loss of his government.

3. An exclusive right of working the coal mines at Louisburg to him and his heirs for ever.

4. A grant of lands in America to a certain extent.

5. And in case it should be judged expedient to create American peers, that he should have the pre-eminence.

The duke of Grafton on receiving this, begged to see sir Jeffery. Who sent him word, if the interview was intended to induce him to lower his demands, it was totally unnecessary. His Grace then went

to him, and gave him the following answers.

1. British peerages were generally given to such, whose opulent fortunes enabled them to support that high dignity. This reason he apprehended sir Jeffery could not plead.

2. It always had been his Majesty's intentions to make him a recompence equivalent to his government.

3. Reasons political and commercial forbade the working of the American coal mines at all.

4. He might have the grant of lands in America, when, where, and to what extent he pleased; but he did not apprehend there was the least reason to make the fifth demand, as he supposed a creation of American peers would never take place.

Sir Jeffery Amherst's regiments are not given away.

I shall make no comment on this. I tell it as a fact, which I have heard from what people call good authority. The dismission of an experienced and deserving commander requires some attention; and there can be no harm in making the public acquainted with it. The number of falsehoods that have been spread abroad about this transaction have induced me to send you this.

I must tell you, however, that my information is second-hand; but it may have this good effect, even if not true, to induce those who know the contrary to do as I have done. I shall therefore conclude with this question: are these things true or not?

CLEOPHAS.

LETTER XXXVII.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 1 *September*, 1768.

IN the ordinary course of life, a regularity of accounts, a precision in points of fact, and a punctual reference to dates, form a strong presumption of integrity. On the other hand, an apparent endeavour to perplex the order and simplicity of facts, to confound dates, and to wander from the main question, are shrewd signs of a rotten cause and of a guilty conscience. Let the public determine between your Lordship and me. You have forfeited all title to respect; but I shall treat you with tenderness and mercy, as I would a criminal at the bar of justice.

In your letter signed Cleophas, you are pleased to assume the character of a person half informed. We understand the use of this expedient. You avail yourself of every thing that can be said for you by a third person, without being obliged to abide by the apology, if it should fail you. My Lord, this is a paltry art, unworthy of your station, unworthy of every thing but the cause you have undertaken to defend. While you pursue these artifices it is impossible to know on what principles you really rest your defence. But you may shift your ground as often as you please; you shall gain no advantage by it. Your Lordship, under the character of Cleophas, is exactly acquainted with particulars, which could only be known to a few persons, while you totally forget a series of facts known to thousands. You can repeat every article of your own letter to sir Jeffery Amherst,[1] though your own memory

[1] This letter was at length published, Nov. 2, and is as follows.

SIR, *Hanover Square*, 27 *July*, 1768.

I AM commanded by the king to acquaint you, that his Majesty, upon a consideration of the dispatches lately received from Virginia, thinks it necessary for his service, that his governor of that colony should immediately repair to his government; and at the same time, to express to you the high opinion his Majesty has of your ability to serve him in that situation. But it is not the king's intention to press you to go upon that service, unless it shall be perfectly agreeable to your inclination, as well as entirely convenient to you. His Majesty does not forget, that the government of Virginia was conferred upon you as a mark of royal favour, and as a reward for the very great services you have done for the public, so much to your own honour, and so much to the advantage of this kingdom, and therefore his Majesty is very solicitous that you should not mistake his gracious intention on this occasion.

If you choose to go immediately to your government, it will be extremely satisfactory to his Majesty; if you do not, his Majesty wishes to appoint a new governor, and to continue to you in some other shape, that emolument which was,

be too weak to recollect on what day lord Boutetort's appointment was fixed, on what day he kissed hands, and on what day the design was opened to sir Jeffery Amherst. These, it seems, are circumstances of no importance, and to say the truth, I believe they are such as you would willingly forget. I am glad to find, however, that the acknowledgment of sir Jeffery Amherst's merit and services could not be more full and formal than as it is stated in your letter to him. Upon that point then we are agreed.

You say sir Jeffery Amherst, at your first conversation, seemed satisfied. My Lord, I must tell you, that when a secretary of state assures sir Jeffery Amherst that any particular measure is necessary for the king's service, he is too good a subject to set his private interest in opposition to the public welfare. But did you tell him that his government had been given away four days before? Did you not speak of it as a measure *in futurum*, which was not to take place till he was perfectly satisfied? In short, did you tell him that lord Boutetort was to kiss hands next morning? Answer these questions like a man and a gentleman.

When sir Jeffery Amherst found that all this pretended necessity of the king's service ended in a provision for a ruined courtier, he felt the indignation of a man who has received an *affront*, not an *injury*. Your emissaries affect to say, that he was desired to repair to his government, and upon his refusal was dismissed. This you know was not the fact, so that every reasoning built upon it falls to the ground. You never did nor could propose to him, to return to America in a rank subordinate to general Gage. It never was a question; and indeed how should it, when his government was given away on the 31st of July, and he had not the most distant intimation that such a measure was thought of, until Thursday the 4th of August. Mark these dates, my Lord, for you shall not escape me.

After the affront had been fixed upon him in the grossest manner, he was desired to consider what satisfaction he would accept of. He then sent to the duke of Grafton the demands, which you have stated to the public. These, and the answers to them, shall now be considered. The word *demand* is peremptory, and unfit to be made use of by a subject in a request to the crown. It *was not* made use of by sir Jeffery Amherst, though, for the matter of it, I assert without scruple that a man of distinguished public merit, who has been signally insulted, is not in the case of a suppliant, but has a *right* to a signal reparation.

The duke of Grafton's idea of the proper object of a British peerage differs very

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as I have said before, intended as a mark of the royal sense of your meritorious services; it is a particular pleasure to me to have the honour of expressing to you these very favourable sentiments of our royal master. To add any thing from myself, would be a degree of presumption; I will therefore only request the favour of your answer, as soon as may be convenient, and take the liberty to assure you, that I am,

HILLSBOROUGH.

The following short note was published immediately in reply to it.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 5 *November*, 1768.

To prevent any impression which may arise to the prejudice of sir Jeffery Amherst from a letter circulated by the earl of Hillsborough, and now in print, it is only necessary to observe that it is dated the 27th of July, and that the government of Virginia was given to lord Boutetort on Sunday the 24th. This being the fact, the humble fawning language of the secretary of state's letter, instead of a compliment, is a real mockery and insult. A true idea of the treatment which sir J. A. has received, can only be had by observing the order of the facts. The government is given away on Sunday. The secretary of state writes his letter on Wednesday. He and sir J. A. meet on Thursday. Not the most distant hint is given him that his government is actually disposed of, and lord Boutetort kissed hands next morning. This, Sir, is the treatment which sir J. A. considers as an affront, not an injury, and which he resents as he ought. If lord H. had not published his letter, I should not have thought of reviving a question on which the public was before completely satisfied.

A. B.—EDIT.

materially from mine. His Grace, in the true spirit of business, looks for nothing but an opulent fortune, meaning, I presume, the fortune which can purchase as well as maintain a title. We understand his Grace, and know who dictated that article. He has declared the terms on which Jews, gamesters, pedlars, and contractors (if they have sense enough to take the hint) may rise without difficulty into British peers. There was a time indeed, though not within his Grace's memory, when titles were the reward of public virtue, and when the crown did not think its revenue ill employed in contributing to support the honours it had bestowed. It is true his Grace's family derive *their* wealth and greatness from a different origin ;—from a system which it seems he is determined to revive. His confession is frank at least, and well becomes the candour of a young man. I dare say, that if either his Grace or your Lordship had had the command of a seven years' war in America, you would have taken care that poverty, however honourable, should not have been an objection to your advancement ;——you would not have stood in the predicament of sir Jeffery Amherst, who is refused a title of honour, because he did not create a fortune equal to it at the expense of the public.

For the matter of a recompence equivalent to his government, he repeatedly told your Lordship that the name of pension was grating to his ears ; and that he would accept of no revenue that was not at the same time honorary. Your Lordship does not know the difference, but men of honour feel it.

If reasons political and commercial forbid working the coal-mines in America, *that*, I allow, is an answer *ad hominem*. It may be a true one ; yet I do not despair of seeing these very mines hereafter granted to support the chastity of a minister's whore, the integrity of a pimp, or the uncorrupted blood of a bastard.

His Grace is wonderfully bountiful in the article of lands : I doubt not he would with all his heart give sir Jeffery Amherst the fee-simple of every acre from the Mississippi to California. But we shall be the less surprised at his generosity, when we consider that every private soldier, who served a certain time in America, was entitled to two hundred acres, and that not one man, out of perhaps twenty thousand claimants, has yet settled upon his estate.

As to American peerages, if none are to be created, the request falls of course. But if such a creation had been intended, I call upon your Lordship to point out a man better entitled to precedence upon that list than sir Jeffery Amherst.

Your last assertion is that his regiments are not given away. It is a matter of perfect indifference. Yet the public has reason to believe that colonel Hotham is now colonel of the 15th regiment, and that the commission of commandant of the royal Americans only waits until it shall be determined whether general Gage shall be recalled or not.

Permit me now to refer your Lordship to the questions stated in my last letter, and to desire you to answer them strictly. If you do not, the public will draw its own conclusions.

Your emissaries, my Lord, have rather more zeal than discretion. One of them, who calls himself *A Considerate Englishman*, could not write by authority, because he is entirely unacquainted with facts. His declamation therefore signifies nothing. In his assertions however there is something really not unpleasant. He assures us that your Lordship's great abilities were brought into employment to correct the blunders of Mr Pitt's administration. It puts me in mind of the consulship which Caligula intended for his horse, and of a project which Buckhorse once entertained of obliging the learned world with a correct edition of the classics.

LUCIUS.

LETTER XXXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *September*, 1768.

WHEN a worthless administration do a notorious act of *injustice* to a *good man* which naturally raises the indignation of the public, they are not satisfied with the *first blow*, but their emissaries go to work to *blacken* the character which was *fair* before, in order to justify the measures of their *masters*.

In this light I must look upon the performance of your correspondent *Cleophas, jun.* in your paper of to-day.

His assertion, 'that the duke of Grafton assured sir Jeffery Amherst that general Gage should be recalled, if sir Jeffery chose to go to his government' is an *absolute falsity;* for (and I speak from *very good authority*) the matter of the *chief* command of the troops never was mentioned, either by the duke of Grafton or any of his colleagues. Had it been so lord Hillsborough in *going his rounds* (his *Lordship understands me*) would not have failed to have expatiated fully thereon; but the letters of your masterly correspondent *Lucius* have drove his Lordship to the *mean* and *paltry* art of employing some of his *nameless dependants* to throw out *insinuations*, which he knows to be *false*, yet, judging from the general run of mankind, flatters himself that at least part of them will be believed.

My design being only to set the puplic right in regard to the assertion of sir Jeffery Amherst's being offered the chief command of the troops, which, in truth, never happened, I shall take no notice of the other part of your correspondent's letter; but leave him and his *bungling patrons* to find in the list of the army an officer so fit as sir Jeffery Amherst to deal with the *refractory colonists*.

L. L.

LETTER XXXIX.

For the Public Advertiser.

7 *Sept.* 1768.

Quid enim est minus, non dico oratoris, sed hominis, quam id objicere adversario, quod ille si verbo negarit, longius progredi non possit qui objecerit?
CICERO.

TO THE EARL OF HILLSBOROUGH.

MY LORD,

THE bare assertion of a falsehood requires nothing more than a determined countenance. To maintain a consistent falsehood not only demands a genius of invention, but a faithful memory. In your Lordship's letter, signed *Cleophas, jun.*, you are pleased to assert, that the duke of Grafton offered to recall general Gage in order that sir Jeffery Amherst might return to America with the chief command of the king's forces. Now, my Lord, I absolutely deny the fact, and as the public will not expect me to prove a negative, I shall leave it to your Lordship to produce your evidence, if you have any.

Really, my good Lord, your letters upon business are drawn up with very little caution. In one article you tell us that the chief command in America was offered to sir Jeffery Amherst, and, in the next, that he has been discovered for some time past to entertain a strong partiality for the refractory colonists. If both these facts were true, what an opinion must we conceive of a ministry careless and imprudent enough to intrust a man so biassed with such a command! You see, my Lord, to what an unfortunate dilemma you have reduced yourself by a weak inconsistent defence. The rage of writing letters has brought many a wiser minister than your Lordship to an untimely end.

You seem determined, my Lord, to go through the family of Cleophas. Be it so. If your pedigree extended from Denbigh to St David's, I would not cease to pursue you from father to son, until I had fairly extirpated the whole family.

LUCIUS.

LETTER XL.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *7 September*, 1768.

As I have not the least intention to enter into any dispute with *Lucius*, indulge me but this once, and give me leave to assure you it shall be the last on the subject from me; and though this man writes so ungenteelly, that he scarce deserves an answer, yet I could not help thinking this much necessary in justice to a nobleman, whom he has most shamefully attacked in consequence of my letter, but whose character is above the reach of malice, and who will be respected when such pests of society are no more.

The account I sent you relative to the resignation of sir Jeffery Amherst I had heard publicly talked of at table, and in a coffee-house; it was told as no secret; but was said to be from very good authority. I sent it as a piece of intelligence without either adding or diminishing. I made no comment on it as I intended no offence. Facts were stated as they were told, and as no dates were mentioned, I gave none. I left it to the public to form opinions as they pleased; to sir Jeffery Amherst's friends to contradict it, if they thought proper; and it has served as a bone for curs of opposition to snarl at.

Though I do not mean to enter into any dispute with this fellow, yet I cannot help making a few observations on his letter. That the government of Virginia was given away four days before the intention of administration was mentioned to sir Jeffery Amherst, I have good ground to believe is not fact: and if you, *Lucius*, possessed but one grain of honesty, and if you had no other intention but to communicate useful information to the public, you would have told them so: that it was applied for even as soon as it was whispered that such a measure was to be adopted, upon the supposition that sir Jeffery Amherst would not choose to reside, I can believe: that it was promised to lord Boutetort in case he did not, I can likewise believe; and this might have been four, or even fourteen, days, for aught I know, before it was mentioned; but pray where is the harm in all this? I fancy no measure of government is entered into immediately on its being mentioned; it requires some time to digest. And when it was judged expedient, in consequence of the accounts from that province, to send the governor-general to reside in Virginia, it was mentioned in the tenderest manner to sir Jeffery. No affront was ever intended. Any recompence (if he did not choose to go) in the power of administration, or in the gift of majesty, was offered him. What more could he expect? He had it in his option to go or not; and if he did not go, he was promised an equivalent, perhaps more. As soon as this measure was surmised, was there any harm in lord Boutetort's application? Was there any fault in lord Hillsborough's promising his interest for his friend? But is this an absolute appointment? No. All the world knows applications are made long enough before vacancies happen, and preferments are promised; but everybody, except *Lucius*, can make a distinction between a promise and an absolute appointment. I dare say there were applications from more than one quarter before the late archbishop died; and probably it was promised before the event happened; but if the see had not become vacant, the present archbishop might have remained at Coventry.

But speak out, malevolence, speak, envy, disappointment, and ill-nature. What in the name of goodness could be sir Jeffery Amherst's objection to lord Boutetort? Was it because he is a nobleman? Because he has gone to the chapel at St James's, and has carried the sword of state before his king? Because he never has insulted majesty, but has always behaved himself as a dutiful and loyal subject, and respectfully to his sovereign? Are these the weighty motives for objecting to his succession? Or is it still a greater crime to be poor? And do these make it an

affront, not an *injury?* Forbid it, heaven! Forbid it, sir Jeffery Amherst's better genius! What would you have had, *Lucius?* Would you have wished to have had the naming of sir Jeffery's successor? What a pity you had not! I declare you deserved it! How could my lord Hillsborough dare to recommend without your permission!

Demands, you say, are unfit to be used from subjects requesting of the crown. Indeed, *Lucius*, you are right; but many subjects now-a-days forget that they are so! and call them by what name you please, I acknowledge these articles of accommodation sent to the duke of Grafton by sir Jeffery Amherst, or said to be sent, answer exactly to the ideas I have of *demands*, and pretty peremptory ones too.

It is strange, *Lucius*, that you cannot write one line without abuse. Had you made your remarks upon the duke of Grafton's answer to the first article without abusing his Grace, it would have been genteel; but the scurrilous language you use, even when your arguments are just, proves that you are equally unacquainted with the gentleman, and sense of honour. I believe it is well known that no commander-in-chief ever made less during a long war than sir Jeffery Amherst did: and I am very sorry indeed that want of fortune, the consequence of honesty and integrity, should ever be assigned as a reason to refuse honours to those who deserve them. The honours of this country, and its treasures to support them, have often been lavished on many who deserved them less than the conqueror of America. This I think was the only exceptionable answer from the duke of Grafton. I hope it is not true.

Whatever delicate feelings you, *Mr Lucius*, may have, I know not; but I am of opinion that sinecure places, non-resident governments, and pensions, are in fact the same, though different in names: nay, the worst of the whole appears to me to be a non-resident governor. The very word implies a necessity of doing something; in fact he does nothing: he therefore is paid for what he does not, though it is his duty to do it. In short he is paid for a neglect of duty; but because our language has not annexed the word pension to such neglect, it does not grate his ears. And, after all, what was sir Jeffery Amherst but a pensioner of the colony of Virginia? he did nothing for it, and was paid. Our idea of a pension is a reward granted for past services, so was his—such as you, *Lucius*, such tools of opposition, such state incendiaries, venal mercenary wretches, are glad to receive rewards of your labours infinitely less honourable than either place or pension.

The duke of Grafton's other answers were unexceptionable. As to the regiments being given away, I did not know it, therefore I am excusable.

And now, *Mr Lucius*, I'll tell you a secret. Your supposing my letter to come from my lord Hillsborough, in my opinion did credit to the performance, and honour to me; but in justice to him I must declare, that I am not, know not, never saw, nor never spoke to the earl of Hillsborough in my life—but just as formerly, I am, &c.,

CLEOPHAS.

LETTER XLI.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 9 *September*, 1768.

IT is indifferent to the public, whether the letters signed *Cleophas* are written by your Lordship, or under your immediate direction. Whoever commits this humble, begging language to paper, we know to a certainty the person by whom it is held. We know the suppliant style your Lordship has condescended to adopt at routs, at tea-tables, and in bankers' shops. But although you have changed your tone, I am bound in honour not to give you quarter. You have offended heinously against your country, and public justice demands an example for the welfare of mankind.

I foresaw *Cleophas* would soon be disavowed. It seems the poor gentleman

never saw, nor spoke to your Lordship in his life, *but just as formerly*. The saving is a good one.

You say your character is above the reach of malice. True, my Lord, you have fixed that reproach upon your character to which malice can add nothing. You say it will be respected when such pests of society as I am are no more. I agree with you that it is very little respected *at present*, and I believe I may unluckily have been the spoil of good company; but I doubt whether *my* death, or even your own, will restore you to your good fame. Your peace of mind is gone for ever.

After the particulars quoted by *Cleophas*, it looks like trifling with the public, to confess that his accounts were collected in a coffee-house, and that he will neither answer for facts nor be directed by dates. These are evasions which I scorn to imitate. My authority is indisputable;—I have stated facts with precision, and marked the dates by which I shall invariably abide, yet *Cleophas* (alias your Lordship) says he has good ground *to believe* that the government was not given away four days before sir J. A. was apprised of it;—he *believes* indeed that it was previously applied for, and that lord Boutetort had a conditional promise of it. These, it seems, are the articles of his creed; but, as they are not points of religious faith, to which there might be some merit in sacrificing our understanding, I presume the public is not obliged to conform to them. My questions were put strictly to points of fact and time, and have not yet been answered. Places, I doubt not, are often applied for and promised before they are vacant; but I did not expect to hear so indecent a case supposed and urged by a man in your Lordship's station, as that the see of Canterbury was promised to another, before the death of the late pious and truly reverend incumbent.

You say that government was ready to make sir J. A. any recompence: yet, excepting a grant of lands in a wilderness, every one of his requests was flatly denied.

You ask if there was any harm in this, or any fault in that. What is this but crying *peccavi*, in the very language of misery and despair? It neither suits the spirit which can do wrong with firmness, nor that purity of innocence which is conscious of having done right. If the necessity of sending over a governor to Virginia had really existed, and if your Lordship had thought proper to take an early opportunity of stating that necessity to sir J. A.—if you had previously apprised him of the design of giving him a successor, and if, in conformity to such declarations, a man of business, of judgment, or activity, had been fixed on, you surely could not have paid too great an attention to sir J. A., and you would have prevented every possible appearance of an intention to affront him. As to the pecuniary injury, I will venture to say, there is not a man breathing who would have been more easily satisfied in that respect than sir J. A.—Compare this supposition with your real proceedings towards him, and though you cannot blush, I am sure you will be silent.

Your questions in favour of lord Boutetort amount to nothing. It is not that he is a bad man, or an undutiful subject. But he is a trifling character and ruined in his fortunes. Poverty of itself is certainly not a crime. Yet the prodigality which squanders a fair estate, is in the first instance dishonourable;—in the next it leads to every species of meanness and dependence, and, when it aims at a recovery at the expense of better men, becomes highly criminal. Will your Lordship, can you, with a steady countenance, affirm that it was the *necessities* of the state, and not his own, which sent him to Virginia?

Your Lordship may give what name you think proper to the requests proposed by sir J. A. He was desired to specify them to the duke of Grafton, and they were refused. It is true, he did not confine himself to the idea of a bare equivalent for the pecuniary value of his government. A generous mind, offended by an insult equally signal and unprovoked, looks back to services long neglected, and with justice

unites the claim arising from those services to the insult, which of *right* demands a signal reparation.

As you seem, in the duke of Grafton's answer to the first article, to feel and acknowledge your weakness, I shall not press you further upon it.

The pensions given by the crown have been so scandalously prostituted, that a man of any nicety might well be forgiven, if he wished not to have the title of pensioner added to his name. But I shall not descend to a dispute about words. I speak to things. If, instead of the government of Virginia, his late Majesty, on the surrender of Louisburgh, had thought proper to give sir J. A. a pension, and if this had been the declared motive of giving it, he might have accepted it without scruple, and held it with honour. Instances of pensions so bestowed are not very frequent. Sir Edward Hawke's is one. How widely different is the case in question! I will not pretend to do justice to this good man's delicacy and sense of honour; but I can easily conceive how a man of common spirit must be affected, when a place which he possessed on the most honourable terms, is taken from him, without even the decency due to a gentleman;——when he sees it given to a needy court dependant, and when the only reparation offered him, is to enroll him in a list of pensioners, among whom an honest man would blush to see his name. If you had not been in such haste to correct the blunders of Mr Pitt's administration, I think your insignificant friend might have appeared in that list without any disgrace to himself, and his distresses might have done credit to the humanity of your Lordship's recommendation.

You did not know that the 15th regiment was given to Colonel Hotham.—Yet your assertion was direct. For shame, my Lord, have done with these evasions. Poor Pownal[1] hangs his head in perfect modesty, and even your *fidus Achates*, your unfortunate Barrington, disowns you.

[1] Secretary to the Board of Trade.—EDIT.

I shall conclude with hinting to you (in a way which you alone will understand) that there is a part of my behaviour to you, for which you owe me some acknowledgment. I know the ostensible defence you have given to the public differs widely from the real one intrusted privately to your friends. You are sensible that the most distant insinuation of what that defence is would ruin you at once. But I am a man of honour, and will neither take advantage of your imprudence, nor of the difficulty of your situation.

LUCIUS.

LETTER XLII.

Plerisque moris est, prolato rerum ordine, in aliquem lætum atque plausibilem locum quam maxime possint favor abiliter excurrere.
QUINTILIAN.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 10 *September*, 1768.

YOUR change of title makes no alteration in the merits of your cause. You argued as well, and were full as honest a man, under the character of *Cleophas*, as you are under that of *Scrutator*. The task of pursuing falsehood through a labyrinth of nonsense is, I confess, much heavier than I expected. You have a way with you, my Lord, which blunts the edge of attention, and sets all argument at defiance. But I hold myself engaged to the public, whose cause is united with that of sir Jeffery Amherst. The people of this country feel as they ought to do your treatment of a man who has served them well; and the time may come, my Lord, when you in your turn may feel the effects of their resentment.

You set out with asserting, that the crown has an indisputable power of dismissing its officers without assigning a cause.—Not quite indisputable, my Lord;—for I have heard of addresses from parliament, to know who advised the dismission of particular officers. I have heard of impeachments attending a wanton exertion of the

prerogative, and you perhaps may live to hear of them likewise.

Another assertion of the same sort has been thrown out by your emissaries, and is now gravely maintained by your Lordship, —viz. that the promise conveyed to sir J. A. by Mr Pitt was in itself an absurdity, and that no succeeding minister is bound to make good an engagement entered into by his predecessor in office.[1] I shall leave my Lord Privy Seal to explain to you the motives on which Mr Pitt acted.[2] The promise arose from his own motion, and if he has not spirit enough to maintain it, he deserves the contempt with which you treat him. In the mean time, I shall presume that a lieutenant-governor was then thought as *efficient* an officer as a governor, and that this post was bestowed on sir J. A. not as the salary of future duties, but as the reward of services already performed. In the second part of your assertion, you wilfully confound the general measures of government with the particular promise of a king made to an individual. Even ministers, my Lord, might, without any injury to their characters, preserve the faith and integrity of their office. But whatever latitude they may claim for themselves, the honour of a king ought to be sacred, even to his successor. The proposition that ministers are not bound by the engagements of their predecessors, if taken generally, is false. There is no breach of public faith which may not be justified on such a principle. Treaties at this rate may be violated without national dishonour, and the most solemn assertions from the throne contradicted without reserve. You forget that you are mixing the permanent dignity of the crown with the fluctuating interests and views of its servants. Yet I shall now allow you more, my Lord, than I believe you expect. I shall admit, without hesitation, that the promise made to sir J. A. could not be so absolute, as not to be revocable in a case of urgent necessity. If such a case had been stated, and demonstrated to sir J. A., he would not have staid to be solicited. He would either have gone himself, or cheerfully resigned his government to his Majesty's disposal. The question turns then upon the degree of that necessity. Make it evident to the public, and I shall then only complain that you have done a right thing in a manner the most indecent and absurd. You will remember, my Lord, how much the issue of this question depends upon lord Boutetort's character, for the public will not easily be persuaded, that a conjuncture which did not rise beyond the level of lord Boutetort's abilities, could be difficult, urgent, or important.[3]

[1] The reference is to the letter signed *Scrutator*, in which the writer observes as follows in respect to the subject in question :—'An absurd promise is asserted to have been made to sir Jeffery Amherst at the time of his appointment to the government of Virginia, that *his attendance on his government should never be required;* and a torrent of obloquy has been poured upon lord Hillsborough for not keeping a promise, which it is not even insinuated that his Lordship ever made. I can scarce think that any man could have been so infatuated as, at any time, to make such a preposterous promise, —a promise in itself void by a settled maxim of law, as repugnant to the grant.—But if any man could be so infantinely weak, it is *his* business alone to answer for the breach.'—Edit.

[2] Mr Pitt was at this time lord privy seal with the title of lord Chatham.—Edit.

[3] *Scrutator* concludes his letter in the following words :—

'Our vigilant minister is vehemently exclaimed against, because he showed himself prepared on the instant, to supply the vacant place of the recreant knight. According to the ideas of the politicians of the *bon ton*, who always substitute personal to national considerations, there ought to have been a decent interval allowed either for the gentleman to repent, or for us, like fashionable widows, to mourn, before a successor were appointed in his room—though in that interval the colony should be lost.—I honour lord Hillsborough for having his man ready, ready not only for his place, but for the province ; ready not only to kiss hands, but to take his passage. And from the watchful activity his Lordship has exerted in every known instance in his arduous employment, I have not the least doubt but that if lord Boutetort had either refused to go, or on any pretext delayed his departure, lord Hillsborough had still some third man in his eye, who would have made ample amends for the deficiencies of both.

'I wish this may prove a lesson to all future ministers of state, to keep a tight rein upon all officers in their departments, lest any one should cry out and affect to be surprised, when suddenly called upon to do his duty, as he prizes his salary.'—Edit.

You say the facts on which you reason *are universally admitted*—a *gratis dictum* which I flatly deny. If, instead of wandering into wild declamation, you had found it convenient to answer my questions strictly, we should have joined issue upon our facts, and the point would long since have been determined. Permit me to refresh your memory with some of them once more.

1. Was not lord Boutetort absolutely appointed on the 31st of July?

2. Was it mentioned in any shape to sir Jeffery Amherst before the 4th of August?

3. Was it not then mentioned as a measure in contemplation only?

4. Did not lord Boutetort kiss hands next morning, that is, Friday the 5th instant?

5. Did not sir Jeffery Amherst's opinion in council defeat an American scheme formed by you and lord Barrington, and is not this the true cause of your rancour against him?

It is unworthy of the character of a gentleman to endeavour to amuse the public with idle declamations, while such questions as these remain unanswered.

LUCIUS.[1]

LETTER XLIII.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 15 *September*, 1768.

THERE is no surer sign of a weak head than a settled depravity of heart. A base action is a disorder of the mind, and next to the folly of doing it, is the folly which defends it. Had the letter signed *Lucius* never been answered, you would not have so shamefully betrayed the weakness of your cause, and your silence might have been interpreted into a consciousness of

[1] There were several replies to this letter. One by an *Independent Country Gentleman* just arrived in town, and dated from the *Bell Inn*, and another, signed *Chrononhotonthologos*, seem to have obtained some attention from the public, and the latter especially, in consequence of the writer's having discovered that *Lucius* had made a mistake, not in the *facts* of the transaction, but in one of the *dates*, by asserting that sir Jeffery Amherst came to town on Thursday, August 4th, instead of one week earlier, Thursday, July 28. Both these letters were replied to with much spirit by the following, signed *Corrector*.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 *September*, 1768.

I AM not surprised to find the *tools of power* alarmed at the *sensible*, *pointed*, and *masterly* letters of your correspondent *Lucius*; but the little arts they have as yet used to baffle his arguments, have only served to expose their own weakness. I hope the gentleman at the *Bell Inn* took the opportunity of a *dry day* to get to town for further information; for in good truth, if he is still *storm-staid* by the *rainy weather*, he had much better smoke a pipe with Boniface his landlord, than trouble the public with *nods*, for such I call his answers to the queries of *Lucius*.

My troubling you at present is not to answer such a *driveller*; but on reading this morning the letter in your paper, signed with the *long name*, I found that, at last, *Mr Lucius* was catched. Your correspondent however deals very tenderly with him, being sensible, I suppose, of the ticklishness of the *ground*. As an admirer of the spirit of *Lucius*, and being thoroughly acquainted with the *times* and circumstances in dispute, allow me to give the true *edition*, by which it will appear that *Mr Chrononhotonthologos* does not mend the matter by his wonderful discovery.

Lucius begins on Thursday, the 4th of August, whereas in truth it was on Thursday, the 28th of July, that sir Jeffery Amherst came to town, and finding that lord Hillsborough had been at his house, he immediately waited on his Lordship, when he had the *first* intimation of his affair, lord Hillsborough's letter having been sent to sir Jeffery's house in the country. The very next day, viz. Friday, the 29th, lord Boutetort kissed hands on his appointment to that government, which the day before had been offered to sir Jeffery; and on the 30th sir Jeffery sent the *requests* in writing to the duke of Grafton which have been by the ministerial hirelings termed *demands*, and which have not been fairly represented. Sir Jeffery did not fix on the *coal mines* as the only *grant*, but left it to *administration* to give that, or any other which might be more convenient, to enable him to support the dignity he requested; nor did he ask for a *separate* grant of lands as has been asserted. That sir Jeffery Amherst speaks of lord Hillsborough in terms like a gentleman I can easily believe, as he is not capable of acting otherwise to a nobleman who has the honour of being one of his Majesty's servants; but that he was *pleased* at the treatment he received, I absolutely deny, as it must be evident to the world, from what followed the appointment of lord Boutetort, that he thought himself *grossly affronted*. CORRECTOR.—EDIT.

innocence. The question is now exhausted, for the public is convinced. How well or ill we have argued is of infinitely less importance than the integrity of facts. Yet even facts, though separately true, will prove nothing, if the order in which they happened be confounded. Take it finally, my Lord, and disprove it if you can. Lord Boutetort's appointment was fixed on or before Sunday. You called at sir Jeffery Amherst's on the Wednesday following. He was not in town, but you saw him next day (Thursday). You then told him that such a measure was in contemplation; but far from naming his successor, you did not tell him that his successor was appointed. Yet lord Boutetort kissed hands the next morning (Friday), and the first notice sir Jeffery Amherst received of his Lordship's appointment, was by an express sent to him that evening by his brother.

That you are a civil, polite person is true. Few men understand the little morals better, or observe the great ones less, than your Lordship. You can bow and smile in an honest man's face, while you pick his pocket. These are the virtues of a court in which your education has not been neglected. In any other school you might have learned that simplicity and integrity are worth them all. Sir Jeffery Amherst was fighting the battles of this country, while you, my Lord, the darling child of prudence and urbanity, were practising the generous arts of a courtier, and securing an honourable interest in the antechamber of a favourite.

As a man of abilities for public business, your first experiment has been unfortunate. Your circular letter to the American governors, both for matter and composition, is a performance which a school-boy ought to blush for. The importance and difficulty of the occasion gave you a fair opportunity of showing by what talents you were qualified for the station of a minister. The assembly of Massachusets' Bay, not contented with their own efforts to throw off their allegiance, solicit the other colonies to unite with them in measures of the same tendency and spirit. A resolution of this extraordinary nature demanded the whole attention of government, and yours in particular. Let us see how you have treated it. Instead of a clear precise instruction to each governor;—instead of separate instructions adapted to the temper, circumstances, and interests of the several provinces, wherein you might have shown your political abilities as well as your knowledge of that country, what have you done? In a circular letter of twenty or thirty lines (conceived in the same terms to all the governors) you tell them,

'That this measure is of a dangerous and factious tendency.' *A most wonderful discovery.*

'That it is calculated to inflame the minds of his Majesty's subjects.' *What else do you think was meant by it?*

'An unwarrantable combination.' *That's the question with* THEM, *and why did you not prove it so?*

'That it excites an opposition to parliament.' *What other design in the name of folly could be proposed by it?*

'That it subverts the true principles of the constitution.' *Which they utterly deny.*

What are these but the loose hackneyed terms of office, which make no impression because they convey no argument and hardly a determinate meaning. You have not suggested a single motive to any one of the colonies, why they should not unite with the assembly of Boston. This task you leave to the governors, and if they find it an easy one, so much the better. Your conclusion however is a masterpiece. You desire the governors to prevail with their assemblies to take no notice of the requisition from Boston, *which will be treating it with the contempt it deserves.* What, my Lord, do you seriously think, that a formal attempt to unite the whole continent of America in rebellion against this country deserves nothing but the silent indifference of contempt? Is this the language of business or attention? Your letter, my Lord, does indeed deserve contempt, but the enterprises of the colonies are of other im-

portance. They call for other measures and other ministers, and be assured that, when parliament meets, unless you intend to govern without one, neither you nor your companions will be permitted to ruin this country with impunity.

LUCIUS.

P. S. A friend of mine has taken the pains to collect a number of the epithets with which lord Hillsborough has been pleased to honour me in the course of our correspondence. I shall lay them before the public in one view, as a specimen of his Lordship's urbanity and singular condescension.

1. Wretched scribbler.
2. Worthless fellow.
3. Vile incendiary.
4. False liar, *in opposition to a true one.*
5. Snarler.
6. Contemptible thing.
7. Abandoned tool of opposition, and diabolical miscreant.
8. Impudent scurrilous wretch.
9. Rascal and scoundrel, *passim.*
10. Barking cur; *by way of distinction from*
11. Barking animal; *cum multis aliis.*

To all which I shall only say, that his Lordship's arguments are upon a level with his politeness.

P. S. I acknowledge a mistake the moment I perceive it. I have advanced the transaction between lord Hillsborough and sir Jeffery Amherst too forward by one complete week. But the days of the week, the facts, and the order in which they succeeded one another, are the same. You see plainly that my arguments are not affected by this mistake. If they had, I should have acknowledged it without hesitation.

LETTER XLIV.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 20 *September*, 1768.

PERMIT me to have the honour of introducing you to a very amiable and valuable acquaintance. Mr Ford is the gentleman I mean. Your Lordship will forgive the timidity and bashfulness of his first address, and, considering your quality, condescend to make him some advances. There is a similarity in your circumstances, to say nothing of your virtues and understanding, which may lay the foundation of a solid friendship between you for the rest of your lives. Undoubtedly you are not quite unacquainted with a character, on which you appear to have formed your own. His case was singular, my Lord, and cannot fail of exciting some emotions of sympathy in your Lordship's breast. This worthy man found himself exposed to a most malicious prosecution for perjury. A profligate jury found him guilty, and a cruel judge pronounced his sentence of imprisonment, pillory, and transportation. His mind was a good deal distressed in the course of this affair (for he too is a man of delicate feelings), but his character, like yours, was above the reach of malice. Not to keep your Lordship any longer in pain, I have the pleasure of telling you that, when law and justice had done their worst, a lady, in whom he seldom places any confidence at cards, was generous enough to stand his friend. Fortune discovered a flaw in the indictment; and now, my Lord, in spite of an iniquitous prosecution, in spite of conviction and sentence, he stands as fair in his reputation as ever he did. Your Lordship will naturally be struck with the resemblance between your case and his. Facts were so particularly stated against you that they could not be denied;—the order in which they happened was demonstrated, and sentence was pronounced by the public. The affair was over, when up gets *Tommy Ford*, and discovers that the whole transaction passed in the last week of July instead of the first in August. This mistake, as it brought the object nearer to us, I called *advancing*. In your Lordship's country I presume it may properly be called a retreat. Here, however, the comparison ends. Your friend escaped by a form of law. But you, my Lord, have been tried at

a tribunal of honour and equity. The public who are your judges, will not suffer *my* mistake (however it may prove the badness of my heart to acknowledge it) to quash the indictment against you. You are convicted of having done a base and foolish action, in a manner the most despicable and absurd. Your punishment attends you in the contempt and detestation of mankind.

Your Lordship has been pleased to publish a long letter in the Gazetteer, to prove that all sir Jeffery Amherst's military services are a mere fiction. You did not sign it indeed, because you had lately signed another, containing the most express and authentic acknowledgment of those services, in a style of applause not very distant from flattery. You will not now, it seems, allow him any share in the reduction of Louisburgh, or the conquest of Canada. Perhaps, after all, he never was in America. I am not a soldier, my Lord, nor will I pretend to determine what share of honour a general is entitled to for success, who must have borne the whole blame and disgrace, if he had failed. Had the event been unfavourable, his officers, I dare say, would have been willing enough to yield *their* concern in it to their commander-in-chief. As to the rest, I have heard from military men, that the judgment and capacity, which make resistance useless or impracticable, are rated much higher than even the resolution which overcomes it. When you, my Lord, and Mr Ford are forgotten, this country will remember with gratitude, that sir Jeffery Amherst had the honour of making sixteen French battalions prisoners of war—that he carried on the whole war in America at an expense less than the fortunes, which some individuals had acquired by contracts and management in Germany;—and that he *did not* put the savings into his own pocket.

If a British peerage be too high a reward for these services, at least do him justice. Do not assure the public that he was not contented with a revenue of four thousand pounds a year, when you know that the income of his government and two regiments did not exceed two thousand three hundred, and that, until he was positively outraged, he never complained. As I profess dealing in facts, take the account.

Government of Virginia	1500
Fifteenth regiment	600
Commandant of the 60th	200
	2300

As to a peerage, you would have done well to consider upon what sort of people this honour has been conferred for ten years past. Among the rest, we should be glad to know what were your Lordship's services or merits, when you were created Baron of Harwich. I take for granted that they were of a different complexion from those of sir J. A., since they have been so differently rewarded.

Here I shall conclude. You have sent sir Jeffery Amherst to the plough. You have left him poor in every article of which a false fawning minister could deprive him;—but you have left him rich in the esteem, the love and veneration of his country. You cannot now recall him by any offer of wealth or honours. Yet I foretell that a time will come, when you yourself will be the cause of his return. Proceed, my Lord, as you have begun, and you will soon reduce this country to an extremity, in which the wisest and best subjects *must* be called upon, and *must* be employed. Till then enjoy your triumph.

LUCIUS.

LETTER XLV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *6 October*, 1768.

SINCE my last letter was printed,[1] a question has been stated in the newspapers, which I think it incumbent upon me, as an honest man, to answer. Admitting my representation of the melancholy state of this country, and of public credit,

[1] Miscellaneous Letter, No. XXXIII.—EDIT.

to be strictly true, 'what good purpose can it answer to discover such truths, and to lay our weakness open to the world?' One would think such a question hardly wanted a reply. If a real misfortune were lessened by concealment;—if, by shutting our eyes to our weakness, we could give our enemies an opinion of our strength, none but a traitor would withdraw the veil, which covered the nakedness of his country. But if the contrary be true; if concealment serves only to nourish and increase the mischief, the conclusion is direct. A good subject will endeavour to rouse the attention of his country;—he will give the alarm, and point out the danger, against which she ought to provide. The policy of concealment is no better than the wisdom of a prodigal, who wastes his estate without reflection, and has not courage enough to examine his accounts.

In my last letter, I foretold the great fall of the stocks, which has since happened, and I now do not scruple to foretell that they must and will fall much lower. Yet I am not moved by the arts of stockjobbers, or by temporary rumours, magnified, if not created, for particular purposes in the alley. These artifices are directed to maintain a fluctuation, not a continued fall. The principles on which *my* reasoning is founded, are taken generally from the state of France and of this country. When I see our natural enemy strong enough not only to elude a material article of treaty,[1] but to set us at defiance while they conquer a kingdom;[2] and when I combine this appearance of strength with their natural restlessness, I cannot doubt of their taking the first opportunity to recover their lost honour, by a fresh declaration of war. On the other hand, considering the hostile temper of the colonies towards us, the oppressive weight of a monstrous debt (to which a peace of six years has scarce given a sensible relief), and, above all, the misery, weakness, and distraction of our interior government, I cannot have a doubt that our enemies now have, or in a very little time will have, the fairest opportunity they can wish for to force us into a war. The conclusion, to be drawn from these premises, is obvious. It amounts to a moral certainty, and leaves no room for hope or apprehension.

To these, which are the most important circumstances of our situation, may well be added the high price of labour, the decay of trade, and the ruinous system on which it is conducted. Every minuter article conspires against us. The deficiency of the civil list must be paid, and cannot be paid with less then seven hundred thousand pounds. The India Company will yield to no terms, which are not founded on an express acknowledgment of their exclusive property in their conquests in Asia. How far their pretensions are just is at least a doubtful question. Whether parliament will divest them of this property, by a mere declaratory law, is a matter of the most important consideration. It would be a dreadful precedent, because it would shake every security of private property. Yet, even if that were determined, another question remains full of difficulty and danger;—that is, in what manner the public will avail themselves of this great right, decided by nothing but a vote of parliament.

Sir, I am not affected by the rumours of the day. If the stocks rise or fall upon a report of tranquillity or tumult at Boston,[3] I am satisfied that it is owing to the arts and management of stockjobbers. But I see the spirit which has gone abroad through the colonies, and I know what consequences that spirit *must and will* produce. If it be determined to enforce the authority of the legislature, the event will be uncertain; but if we yield to the pretensions of America, there is no further doubt about the matter. From that moment they become an independent people, they open their trade with

[1] His Most Catholic Majesty, being a branch of the Bourbon dynasty—in the refusal of his ministers to discharge the Manilla ransom.—EDIT.

[2] Corsica.—EDIT.

[3] See note to Letter XXXIX., p. 240.—EDIT.

the rest of the world, and England is undone.

In these circumstances, calamitous as they are, I yet think the uniform direction of a great and able minister might do much. His earliest care, I am persuaded, would be to provide a fund to support the first alarm and expense of a rupture with France. If prepared to meet a war, he might perhaps avoid it. His next object would be to form a plan or agreement with the colonies. He would consent to yield some ground to the Americans, if it were possible to receive a security from them, that they never would advance beyond the line then drawn, upon conditions mutually agreed on. By an equitable offer of this kind, he would certainly unite this country in the support of his measures, and I am persuaded he would have the reasonable part of the Americans of his side.

These, Sir, unfortunately for us, are views too high and important even to be thought of, while we are governed as we are. I would not descend to a reproachful word against men, whose persons I hardly know; but it is impossible for an honest man to behold the circumstances, to which a weak, distracted administration has reduced us, without feeling one pang at least for the approaching ruin of Great Britain.

ATTICUS.

LETTER XLVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 12 *October*, 1768.

I BELIEVE one may challenge any time or country to produce more noble instances of a free and manly spirit, than have appeared in several of your late correspondents. Without direction, without information, without promise or hope of reward, without personal friendship, favour, or acquaintance, several heroes of the pen have boldly stood forth and generously dared to defend a great minister of state, although in the plenitude of his power, and invested with the patronage to an infinite number of lucrative offices. This, I say, is true virtue; and this virtue your correspondents, with various hard names, have solemnly assured us they possess.

They have demonstrated, to the satisfaction of the public, against the calumnies of a dull writer, called *Lucius*, that every part of the late conduct of lord Hillsborough with regard to sir J. Amherst is just what it ought to have been; nothing ill-intentioned, nothing either deficient or redundant; and that it may well serve for a pattern upon all similar occasions.

However, it sometimes happens a little perversely, that the very best actions have every now and then consequences that are somewhat odd—I do not say absolutely bad; but only a little untoward. Thus though lord Hillsborough has done his duty to a miracle in all parts of this business, and that his character comes like gold out of the furnace of this fierce contest; yet so it happens, that the event, and the sole event, of all this upright intention and wise action is, that the nation has at a critical time lost to her service sir J. Amherst; and has gained to it lord Boutetort.

This is a little crooked with regard to the political effect of the measure; but I hope it is set to rights by the moral consequence. Rewards and punishments are so distributed as to point out for the future, to all people in the civil or military lines, the conduct they ought to pursue, in such a manner, that it is impossible they should mistake their way. For sir Jeffery Amherst has lost £2,300 a year by his folly——lord Hillsborough and lord Boutetort have each acquired as much by their wisdom. I cannot forbear to congratulate the public upon all these favourable appearances.

I am, Sir,

Your humble servant,

TEMPORUM FELICITAS.

LETTER XLVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 15 *October*, 1768.

YOUR correspondent, who calls himself *A Friend to Public Credit*, has given us one of the most extravagant conceits that ever entered into the brain of a politician. He assures us that a rupture with France or Spain is highly improbable because the secretary of state[1] for that department possesses no share in his master's confidence, and is in open enmity with his colleagues in office. Supposing the argument to be just, let us see how far it will extend. One of his Majesty's ministers is hated and distrusted; *ergo*, a war is improbable. But if two of them should happen to be in that unpleasant situation, the improbability would increase, and so we should proceed to an inevitable conclusion. If all the ministry were separately suspected by their master, and reciprocally detested by one another (which I fancy is not far from the truth), a declaration of war would be the last thing to be expected. At this rate the peace of this country is established upon a foundation equally new and secure; upon the distraction of the councils by which we are governed. What a pity it is that not one article in this pretty syllogism is true! I agree with your correspondent, that when a nation is governed as we are, our constant prayer should be, *Give peace in the time of these ministers, O Lord!* But I fear that the same reasons, which ought to keep *us* quiet, will operate in a contrary direction upon our enemies. I fear they only wait until the differences with our colonies and the divisions among ourselves are arrived at a crisis, and that then they will overwhelm us with an open war. In the mean time the House of Bourbon are labouring to unite their strength, and to extend the bounds of their dominion. Their insatiable ambition will not spare even the father of their church, who must be entirely dispossessed of his territories, unless the Protestant powers interpose in his defence. It was and ought for ever to be our policy to support this prince in his temporal power, without any regard to his religion. If he were a Turk, he ought to be protected in the possession of his dominions against the House of Bourbon. Or are we to sink into a lethargic stupidity, while the French conquer Corsica and overrun Italy, and sit with our arms across, until they thunder at our gate? There is certainly some dreadful infatuation, which hangs over and directs the councils of this country. Our ministers drive us headlong to destruction, while their emissaries insult us with assurances that the divisions among the king's servants form the best security of peace with our enemies. God knows, Sir, it is time to rouse and shake off this lethargy. It is time for parliament to interpose, if yet there be a hope of saving Great Britain. Our last constitutional resource is vested in parliament. By whose advice or neglect the French were suffered to land in Corsica should be one of the first objects of their enquiry, and whether French money has been given or received here. Every measure of government opens an ample field for a parliamentary inquisition. If this resource should fail us, our next and latest appeal must be made to heaven.

BRUTUS.

[1] Lord Shelburne.

LETTER XLVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *October*, 1768.

WE are assured by the advocates of the ministry, that while lord Shelburne is secretary of state, we can have no reason to apprehend a rupture with France or Spain. This proposition is singular enough, and I believe turns upon a refinement very distant from the simplicity of common sense. But, admitting it to be self-evident, the conclusion is such as I apprehend your

correspondent, who signs himself *A Friend to Public Credit*, did not clearly foresee. If lord Shelburne's remaining in office constitutes a security of peace, his being suddenly removed must amount to a declaration of war. Now, Sir, the fact is, that his Lordship's removal has been for some weeks in agitation, and is within these few days absolutely determined.[1] If I were a party-writer, the indiscretion of the ministerial advocates would give me as many advantages as even the wretched conduct of the ministry themselves. But I write for the public, and in that view hold myself far above a little triumph over men, whose compositions are as weak as the cause they defend.[2]

In my former letters I have given you a melancholy but a true representation of the state of this country. Every packet from America and the continent confirms it. The demonstration of facts follows the probability of argument, and the prediction of the present hour is the experience of the next. If you will now permit me to offer my opinion of the great persons, under whose administration we are reduced to this deplorable state, the public will be enabled to judge whether these are the men most likely to relieve us from it. The curiosity of personal malice shall make no part of this enquiry. As public men we have a right to be acquainted with their real characters, because we are interested in their public conduct.

When the duke of Grafton first entered into office, it was the fashion of the times to suppose that young men might have wisdom without experience. They thought so themselves, and the most important affairs of this country were committed to the first trial of their abilities. His Grace had honourably flesht his maiden sword in the field of opposition, and had gone through all the discipline of the minority with credit. He dined at Wildman's, railed at favourites, looked up to lord Chatham with astonishment, and was the declared advocate of Mr Wilkes. It afterwards pleased his Grace to enter into administration with his friend lord Rockingham, and, in a very little time, it pleased his Grace to abandon him. He then accepted of the Treasury upon terms which lord Temple had disdained. For a short time his submission to lord Chatham was unlimited. He could not answer a private letter without lord Chatham's permission. I presume he was then learning his trade, for he soon set up for himself. Until he declared himself the minister, his character had been but little understood. From that moment a system of conduct, directed by passion and caprice, not only reminds us that he is a young man, but a young man without solidity or judgment. One day he desponds and threatens to resign. The next, he finds his blood heated, and swears to his friends he is determined to go on. In his public measures we have seen no proof either of ability or consistency. The Stamp Act had been repealed (no matter how unwisely) under the preceding administration. The colonies had reason to triumph, and were returning to their good humour. The point was decided, when this young man thought proper to revive it. Without either plan or necessity, he adopts the spirit of Mr Grenville's measures, and renews the question of taxation in a form more odious and less effectual than that of the law which had been repealed.

With respect to the invasion of Corsica,[3] it will be matter of parliamentary enquiry, whether he has carried on a secret negotiation with the French court, in terms contradictory to the resolution of council, and to the instructions drawn up thereupon by his Majesty's secretary of state.[4] If it shall

[1] Lord Shelburne resigned October 21, 1768.—EDIT.

[2] See Private Letter, No. 5, in which the author makes a similar remark upon the writers in defence of the then administration.—EDIT.

[3] See notes in p. 136. When, upon the invitation of the Genoese, the French invaded Corsica, a remonstrance was presented by the English minister at Paris; but here the resistance dropped.—EDIT.

[4] A motion which tended to an enquiry of this kind was made in the House of Commons by

appear that he has quitted the line of his department to betray the honour and security of his country, and if there be a power sufficient to protect him, in such a case, against public justice, the constitution of Great Britain is at an end.

His standing foremost in the persecution of Mr Wilkes, if former declarations and connexions be considered, is base and contemptible.[1] The man whom he now brands with treason and blasphemy, but a very few years ago was the duke of Grafton's friend, nor is his identity altered, except by his misfortunes. — In the last instance of his Grace's judgment and consistency, we see him, after trying and deserting every party, throw himself into the arms of a set of men, whose political principles he had always pretended to abhor. These men I doubt not will teach him the folly of his conduct better than I can. They grasp at every thing, and will soon push him from his seat. His private history would but little deserve our attention, if he had not voluntarily brought it into public notice. I will not call the amusements of a young man criminal, though I think they become his age better than his station. There is a period at which the most unruly passions are gratified or exhausted, and which leaves the mind clear and undisturbed in its attention to business. His Grace's gallantry would be offended if we were to suppose him within many years of being thus qualified for public affairs. As for the rest, making every allowance for the frailty of human nature, I can make none for a continued breach of public decorum ;[2] nor can I believe that man very zealous for the interest of his country, who sets her opinion at defiance. This nobleman, however, has one claim to respect, since it has pleased our gracious sovereign to make him prime minister of Great Britain.

The chancellor of the Exchequer[3] is a moderate man, and pretends to no higher merit than that of an humble assistant in office. If he escapes censure, he is too prudent to aim at applause. The necessity of his affairs had separated him from earlier friendships and connexions, and if he were of any consequence, we might lament that an honest man should find it necessary to disgrace himself in a post he is utterly unfit for. But we have other objects to attend to. It depends greatly upon the present management of the finances, whether this country shall stand or fall. A common clerk in office may conduct the ordinary supplies of the year, but to give a sensible relief to public credit, or to provide funds against a rupture abroad, are objects above him. To remove those oppressions which lie heaviest upon trade, and, by the same operation, to improve the revenue, demands a superior capacity, supported by the most extensive knowledge. To vulgar minds it may appear unattainable, because vulgar minds make no distinction between the highly difficult and the impossible.[4]

The earl of Hillsborough[5] set out with a determined attachment to the court party, let who would be minister. He had one vice less than other courtiers, for he never even pretended to be a patriot. The Oxford election gave him an opportunity of showing some skill in parliamentary management, while an uniform obsequious submission to his superiors introduced him into lucrative places, and crowned his ambition with a peerage. He is now what they call a king's man ; ready as the closet directs, to be any thing or nothing, but always glad to be employed. A new department, created on purpose for him, attracted a greater expectation than he has yet been able to support. In his first act of power he has betrayed a most miserable want of judgment. A provision for lord

Hans Sloane, Esq., but the *uninfluenced, unplaced, unpensioned majority*, thought proper to put a *negative* upon it.

[1] See Letter XI.—Edit.

[2] See Letter XIV., and Miscellaneous Letter, No. XX.—Edit.

[3] Lord North.—Edit.

[4] See lord North's talents further discussed in Letter XXXIX., where the writer does not appear to entertain a much higher opinion of them than in his present address.—Edit.

[5] Minister for the colonial department.—Edit.

Boutetort was not an object of importance sufficient to justify a risk of the first impression which a new minister must give of himself to the public. For my own part I hold him in some measure excused; because I am persuaded the defence he has delivered privately to his friends is true, 'That the measure came from another and a higher quarter.' But still he is the tool, and ceasing to be criminal sinks into contempt. In his new department I am sorry to say he has shown neither abilities nor good sense. His letters to the colonies contain nothing but expressions equally loose and violent. The minds of the Americans are not to be conciliated by a language, which only contradicts without attempting to persuade. His correspondence, upon the whole, is so defective both in design and composition, that it would deserve our pity, if the consequences to be dreaded from it did not excite our indignation. This treatment of the colonies, added to his refusal to present a petition from one of them to the king (a direct breach of the declaration of rights), will naturally throw them all into a flame. I protest, Sir, I am astonished at the infatuation which seems to have directed his whole conduct. The other ministers were proceeding in their usual course, without foreseeing or regarding consequences; but this nobleman seems to have marked out, by a determined choice, the means to precipitate our destruction.

The earl of Shelburne had initiated himself in business, by carrying messages between the earl of Bute and Mr Fox, and was for some time a favourite with both. Before he was an ensign he thought himself fit to be a general, and to be a leading minister before he ever saw a public office. The life of this young man is a satire on mankind. The treachery which deserts a friend, might be a virtue, compared to the fawning baseness which attaches itself to a declared enemy. Lord Chatham became his idol, introduced him into the most difficult department of the state, and left him there to shift for himself. It was a masterpiece of revenge. Unconnected, unsupported, he remains in office without interest or dignity, as if the income were an equivalent for all loss of reputation. Without spirit or judgment to take an advantageous moment of retiring, he submits to be insulted, as long as he is paid for it. But even this abject conduct will avail him nothing. Like his great archetype, the vapour on which he rose deserts him, and now,

'Fluttering his pennons vain, plumb down he drops.'[1]

I cannot observe without reluctance, that the only man of real abilities in the present administration, is not an object either of respect or esteem. The character of the lord chancellor[2] is a strong proof that an able, consistent, judicious conduct, depends upon other qualities than those of the head. Passions and party, in his Lordship's understanding, had united all the extremes. They gave him to the world in one moment, the patron of natural liberty, independent of civil constitutions; in the next, the assertor of prerogative independent of law.[3] How he will advise the crown in the present crisis, is of more importance to the public than to himself. His patronage of Mr Wilkes, and of America, have succeeded to his wish. They have given him a peerage, a pension, and the seals; and as for his future opinions, he can adopt none for which he may not find a precedent and justification in his former conduct.

The earl of Chatham—I had much to say, but it were inhuman to persecute, when Providence has marked out the example to mankind![1]

[1] Milton, Paradise Lost, ii.—EDIT.
[2] Lord Camden.—EDIT.
[3] See Letter LIX.—EDIT.
[4] Lord Chatham was at this time so severely tortured and worn away by the gout, that it was supposed he would never be able to resume an active part in politics. His Lordship had resigned his post of lord privy seal three days previous to the date of this letter, and was succeeded in that office, on the 2nd of November following, by the earl of Bristol.—EDIT.

My lord Granby is certainly a brave man, and a generous man, and both without design or reflection. How far the army is improved under his direction, is another question. His German friends will all have regiments; and it is enough to say of his Lordship that he has too much good humour to contradict the reigning minister.

The length of this letter will not permit me to do particular justice to the duke of Bedford's friends; neither is it necessary. With one united view they have but one character. My lord Gower and lord Weymouth were distressed, and Rigby was insatiable. The school they were bred in taught them how to abandon their friends, without deserting their principles. There is a littleness even in their ambition; for money is their first object. Their professed opinions upon some great points are so different from those of the party with which they are now united, that the council-chamber is become a scene of open hostilities. While the fate of Great Britain is at stake, these worthy counsellors dispute without decency, advise without sincerity, resolve without decision, and leave the measure to be executed by the man who voted against it. This, I conceive, is the last disorder of the state. The consultation meets but to disagree. Opposite medicines are prescribed, and the last fixed on is changed by the hand that gives it.

Such is the council, by which the best of sovereigns is advised, and the greatest nation upon earth governed. Separately the figures are only offensive; in a group they are formidable. Commerce languishes, manufactures are oppressed, and public credit already feels her approaching dissolution: yet, under the direction of this council, we are to prepare for a dreadful contest with the colonies, and a war with the whole House of Bourbon. I am not surprised that the generality of men should endeavour to shut their eyes to this melancholy prospect. Yet I am filled with grief and indignation, when I behold a wise and gallant people lost in a stupidity, which does not feel, because it will not look forward. The voice of one man will hardly be heard when the voice of truth and reason is neglected; but as far as mine extends, the authors of our ruin shall be marked out to the public. I will not tamely submit to be sacrificed, nor shall this country perish without warning.

ATTICUS.

LETTER XLIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 26 *October*, 1768.

THE great abilities which have distinguished the character of the earl of Rochford, have justly procured him the love of his countrymen, and have entitled him to the favour and protection of his sovereign; it was therefore with universal approbation that the public received the promises of his advancement at this important crisis to the important office of secretary of state. It was with a degree of hope, to which they have long been unaccustomed, that they flattered themselves foreign business would now be no longer neglected. They had reason to expect much from a man to whom nature had been lavish, and whose natural talents, great as they were, must have been considerably augmented by a long residence and a constant attention to business in courts, which are perhaps superior to all others in the arts and mysteries of negotiation. It was now that they felt themselves secure in the assurance that the correspondences with the courts of Paris, Madrid, and Turin were to be carried on by a man above all others qualified for so arduous a task; by a man who had gained great reputation as an ambassador in each of them.

It was in vain that the enemies to administration endeavoured to suggest that that nobleman was not singled out on account of his superior abilities, but on account of his neutrality and non-attachment to any particular men or measures; it was in vain that they represented his nomination as a mere act of necessity, resulting from the

incapacity of the leaders to promote any other without widening their bottom, which was a measure that, above all others, they most apprehended.

These suggestions had little or no effect; they were either totally disbelieved or disregarded; the consequence was good, and the public were not at all curious to know the cause; their joy, that such a measure was to take place, was only equalled by their surprise; and as their joy proceeded from a reflection of the past, as it related to lord Rochford, they were inattentive to the present, as it related to others.

What pity it is that they were so soon disappointed, and that a joy so well founded was destined to be of so short a duration. In proportion as they were elevated with the hopes of his being taken into office, so are they dejected by the manner of his appointment. The course and order of business appears to have been violated, and that vacancy, to which his Lordship ought to have succeeded, and which he was so well qualified to fill, has been suffered to be possessed by another altogether a stranger to the principal wheels of those machines, which it becomes his duty to regulate; and the abilities of the earl have been as far as possible thwarted by his being plunged into a correspondence with courts, of whose maxims and interests he is no better qualified to judge than any other of his Majesty's servants who would make use of as much attention, and who may be happily endowed with as much penetration. It is now then that the public have both cause and inclination to ask a question, which they before thought useless and impertinent: it is now that with horror they reflect on the intelligence communicated by your correspondent *Atticus*;[1] it is now that they tremble at the thoughts of a secret negotiation with the French court in relation to Corsica; and it is now that they ask, Why was lord Rochford appointed secretary of state, and for the northern department?[2]

WHY?

LETTER L.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *27 October*, 1768.

WHEN an anonymous writer tells the public, that a great minister, who happens to be his particular friend, has given him assurances of any sort, with regard to state affairs, the authority is doubly suspicious. In the first place, that such writers should have such friends is not, in the highest degree, probable. In the next, it is much to be doubted, whether ministers of state always tell the truth even to their most intimate acquaintance. I take for granted, the author of the letter, signed *Plain Truth and Justice*,[3] is a modest man, since he expects an implicit reliance on the bare assertion of a person entirely unknown to us. But I fear he will find himself a little disappointed, for the public is not to be imposed upon by such gross artifices. The letters, in which your correspondent *Atticus* had foretold the decline of public credit, seemed to rest upon a very different footing. He made no assertions of his own, because he neither required nor expected any reliance on his personal credit or authority. He stated facts too notorious to be disputed, and he reasoned upon them in a way, which there has yet been no attempt to answer. This is the fair ground on which his opponents ought to meet him. Vague assertions have no claim to credit, and, if they had, would amount to no proof. What ministers are pleased to say, or what their friends say for them, is but of little moment. A man, who in the present crisis would direct his conduct upon sure grounds, ought to examine the real state of public affairs, and, according as he finds them, act with pru-

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[1] See the preceding letter.—EDIT.

[2] See this subject further discussed in Letter I.—EDIT.

[3] He alludes to a correspondent in the Public Advertiser, who had replied to his former letter, under this signature.—EDIT.

dence for himself and his family. I know that an artful combination in the alley, may, for a short time, raise or sink the price of stocks a trifle. But no arts, no combination, can support them against the reality of national distress. The maxim holds through life. A beggar may cut a figure for a day, but his ruin is inevitable, and his creditors perish with him.

Your correspondent assures us that no money will be wanted for the ensuing year. With all due respect to an anonymous assertion, I should be glad to know by what sort of reasoning he would support it. Do the ministry mean to leave the debt on the civil list unpaid? I will tell him that they cannot, dare not do it. This debt amounts to above six hundred thousand pounds, and if they can pay it without money, so much the better.—Have they made any agreement with the East-India Company? No—Have they made any provision for outstanding navy and victualling bills? I answer, they must whether they will or no.—Have the Bank agreed to continue creditors for the last million they advanced to government? I answer, that the Bank have no confidence in the present administration, and will not trust them. As to taking the four per cents. entirely out of the market, Mr Grenville, or an able financier, who possessed the confidence of the public, might perhaps accomplish it, but it is not an object within the reach of the present Treasury board. They talk of it in their dreams, and forget it when they wake.[1]

These, Sir, are considerations independent of a war, which hangs over us, and of a contest with the colonies, which in no way can end favourably for this country. As to moderate qualifying measures, I know but one which the Americans will accept of, and that is an absolute release from all subjection. They will reject with disdain an offer to be represented in parliament, because they *will* be independent. They found the effect of their last combination, and when they demand a repeal of an act of the legislature, it must be done without conditions. But, in the name of common sense, what useful purpose will our submission answer? Upon the repeal of the Stamp Act, our exports to America, instead of doubling, as had been promised, diminished considerably. What are we doing then, but surrendering the first essential rights and principles of the constitution for the sake of a bribe, of which we are cheated at last?—We may retire to our prayers, for the game is up.

BRUTUS.

[1] See Letter XXXIX., in which the failure of lord North to effect this object is censured by the author, and explained in a note appended to it.—EDIT.

LETTER LI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 *November*, 1768.

WHEN I foretold the approach of a foreign war, the certainty of a rupture with the colonies, and the decline of public credit, my opinion was chiefly founded on the character, circumstances, and abilities of the present administration. Fortune has but little share in the events most interesting to mankind. Individuals perish by their own imprudence, and the ruin of an empire is no more than the misconduct of a minister or a king. Without the credit of personal reputation, divided as a ministry, and unsupported by talents or experience, his Majesty's servants had left the field of national calamity wide open to prediction. It seems they were determined to accomplish more than even their enemies had foretold. For my own part, I am not personally their enemy, and I could have wished that their conduct had not made the name of friend to the ministry irreconcileable with that of friend to Great Britain.

The most contemptible character in private life, and the most ruinous to private fortunes, is that which possesses neither judgment nor inclination to do right, nor resolution enough to be consistent in doing wrong. Such a man loses all the credit of

firmness and uniformity, and suffers the whole reproach of weak or malicious intentions. In politics, there is no other ministerial character so pernicious to the honour of a prince, or so fatal to the welfare of a nation. It is of the highest importance to enquire, whether the present ministry deserve it.

The name of lord Chatham's administration was soon lost in that of the duke of Grafton. His Grace took the lead, and made himself answerable for the measures of a council, at which he was supposed to preside. He had gone as far as any man in support of Mr Pitt's doctrine, *That parliament had no right to lay a tax upon America, for the sole purpose of raising a revenue.* It was a doctrine on which lord Chatham and the chancellor[1] formed their administration, and his Grace had concurred in it *with all his sincerity.* Yet the first act of his own administration was to impose that tax upon America, which has since thrown the whole continent into a flame. A wise man would have let the question drop; a good man would have felt and adhered to the principles he professed. While the gentle Conway breathed into his ear, he was all lenity and moderation. The colonies were dutiful children, and Great Britain a severe parent. A combination to ruin this country was no more than an amicable agreement, and rebellion was a natural right confirmed by the revolution. But now it seems his Grace's opinions are altered with his connexions. *The measures of the colonies are subversive of the constitution; they manifest a disposition to throw off their dependence,* and vigorous measures must be enforced at the point of the sword. In vain may we look for the temper and firmness of a great minister;—we shall find nothing but the passion or weakness of a boy;—the enervated languor of a consumption, or the false strength of a delirium.

The same inconsistency will be found to prevail through every measure and operation of government. Perhaps there may be discovered something more than supineness in the first neglect of Corsica, and something worse than inconsistency in the contradiction given to lord Rochford's spirited declaration to the court of France.[2] His Grace has lately adopted the opposite extreme, and scruples not to give an alarming shock to public credit, by hints little short of a declaration of war. What is this but the undetermined timidity of a coward, who trembles on the brink, until he plunges headlong into the stream.

In one gazette we see sir Jeffery Amherst dismissed; in the very next we see him restored, and both without reason or decency. The peerage, which had been absolutely refused, is granted, and as in the first instance the royal faith was violated, in the second the royal dignity is betrayed. But this perhaps is a compliment to the duke's new friendship with the earl of Hillsborough.

Without approving of Mr Wilkes's conduct, I lament his fate. The duke of Grafton, who contributed to his support abroad, has given the mandate for his expulsion. But I trust there is yet a spirit, which will not obey such mandates. This honourable enterprise will probably be defeated, and leave the author of it nothing but a distinguished excess of infamy, the last consolation of a profligate mind.

Is it possible, Sir, that such a ministry can long remain united, or support themselves if they were united? The duke of Grafton, it is true, has no scruple nor delicacy in the choice of his measures. They are the measures of the day, and vary as often as the weather. But his companions had each their separate plan, to which, for the credit of government, and the benefit of this country, they have severally adhered. The intrepid thoughtless spirit of the commander-in-chief looks no further than to the disposal of commissions. He is the friend and patron of the military. With this character he suffers the army to be robbed of a regiment, by way of pension to

[1] Lord Camden.—EDIT.

[2] See Letter XII.—EDIT.

the noble disinterested house of Percy; and sir Jeffery Amherst to be sacrificed without pretending to the credit of restoring him.[1] His Lordship's conduct perplexes me. I am at a loss which to admire most; the penetrating sagacity with which he understands the rights of the army, or the firmness with which he defends them.

When an ungracious act was to be done, the earl of Hillsborough was chosen for the instrument of it. He deserved, since he submitted to bear, the whole reproach of sir Jeffery Amherst's dismission. The gallant knight obtains his price, and the noble earl, with whatever appetite, must meet him with a smile of congratulation, and, *Dear sir Jeffery, I most cordially wish you joy!* After all, it must be confessed, there are some mortifications which might touch even the callous spirit of a courtier.

The chancellor of the Exchequer has many deficiencies to make good besides those of land and malt; and to say the truth, he has a gallant way of doing it. He gallops bravely through thick and thin, as the court directs, and I dare say would defend even an honest cause with as much zeal and eloquence, as if he were ordered to show his parts upon *nullum tempus*,[2] or a Cumberland election.

It would be unjust to the duke of Bedford's friends to attribute their conduct to any but the motives which they themselves profess. Mr Rigby is so modest a man, that the imputation of public virtue, or private good faith, would offend his delicacy, if he did not feel, as he certainly does, the genuine emotions of patriotism and friendship warm in his breast. They argued not ill for ambition, while they asked for nothing but profit; and when the duke of Grafton has exhausted the treasury, he will find that every other power departs with the power of giving.

In this and my former letters I have presented to you, with plainness and sincerity, the melancholy condition to which we are reduced. The characters of a weak and worthless ministry would hardly deserve the attention of history, but that they are fatally united, and must be recorded with the misfortunes of their country.

If there be yet a spark of virtue left among us, this great nation shall not be sacrificed to the fluctuating interests or wayward passions of a minister, nor even to the caprices of a monarch. If there be no virtue left, it is no matter who are ministers, nor how soon they accomplish our destruction.

ATTICUS.

LETTER LII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 21 *November*, 1768.

IT will soon be decided by the highest authority whether the justice of our laws, and the liberty of our constitution, have been essentially violated in the person of Mr Wilkes.[3] As a public man his fate will be determined, nor is it safe or necessary at present to enter into the merits of his cause. We are interested in this question no further than as he is a part of a well-regulated society. If a member of it be injured, the laws and constitution will defend him. But where is the law to enforce the engagements of private faith, or to punish the breach of them? Where shall *he* apply for redress, with whom all ties of honour, professions of friendship, and obligations of party have been violated or betrayed? A man so injured has no redress or consolation, but what he finds in the resentment and generous sympathy of mankind.

The violation of party faith is of itself too common to excite surprise or indignation. Political friendships are so well understood, that we can hardly pity the simplicity they deceive; and if Mr Wilkes had only been

[1] See Letter III.—EDIT.

[2] See Letter LVII., and editor's note to Miscellaneous Letter, No. XIV. —EDIT.

[3] Upon the issue of the General Warrant.—EDIT.

deserted, he would but have given us one example more of the folly of relying on such engagements. But his, I conceive, is a singular situation. There is scarce an instance of party merit so great as his, or so ill rewarded. Other men have been abandoned by their friends :—Mr Wilkes alone is oppressed by them. One would think that the first lord of the Treasury [1] and the chancellor [2] might have been contented with forgetting the man, to whom they principally owed their elevation ; — but hearts like theirs are not so easily satisfied. They left him unsupported when they ceased to want his assistance, and, to cover the reproach of passive ingratitude, they pursue him to destruction. The bounds of human science are still unknown, but this assuredly is the last limit of human depravity. Notorious facts speak for themselves, and, in this case, an honest man will want no spur to rouse his indignation. Men of a different character would do well to consider what their security is with a minister, who breaks without scruple through all engagements of party, and is weak enough to set all public shame at defiance. There is a firmness of character, which will support a minister, even against his vices ; but where is the dependence of his friends, when they have no hold either on his heart or his understanding? Detested by the better part of mankind, he will soon be suspected by the worst, for no man relies securely on another, whom he thinks less honest and less wise than himself.

In the present instance the duke of Grafton may possibly find that he has played a foolish game. He rose by Mr Wilkes's popularity, and it is not improbable that he may fall by it.

JUNIUS.

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[1] The duke of Grafton.—Edit.
[2] Lord Camden.—Edit.

LETTER LIII.

For the Public Advertiser.

15 *December*, 1768.

TO THE RIGHT HON. GEORGE GRENVILLE.

SIR,

If there be any thing improper in this address, the singularity of your present situation will, I hope, excuse it. Your conduct attracts the attention, because it is highly interesting to the welfare, of the public, and a private man, who only expresses what thousands think, cannot well be accused of flattery or detraction. If we may judge by what passes every day in a great assembly, you already possess all the constituent parts of a minister, except the honour of distributing, or the emolument of receiving, the public money. These, in the contemplation of the present ministry, are the most essential ornaments of office. They are the *decus et tutamen* of a respectable administration, and the last that a prudent administration will relinquish. As for the authority, the credit, or the business of their offices, they are ready to resign them to you without reluctance. With regard to their appearance and behaviour within-doors, these docile creatures find a relief in *your* understanding from the burthen of thinking, and in *your* direction from the labour of acting. This, however, is no more than the natural precedence of superior abilities and knowledge. Folly cannot long take the *pas* of wisdom, and ignorance, sooner or later, must submit to experience. Yet, considering what sort of heads you have to deal with, the task of giving them instruction must be a heavy one. The triumph is hardly equal to the labour which attends it. To convey instruction into heads which perceive nothing, is as hard a task as to instil sentiments into hearts that feel nothing. In both these articles, I think, his Majesty's present servants are invulnerable. They are of so strange a composition, that knowledge will neither penetrate the sub-

stance, nor shame stick upon the surface. They have one short remedy for every inconvenience, a remedy which tyrants make use of, and fools profess, without scruple or management. Force is their grand *arcanum imperii*. If this be the *executive* power of the crown, they possess and exert it to a miracle. Red and brown makes all the difference. To Southwark the guards are detached in their uniforms ; —to Brentford they march like gentlemen, with orders to change their colours in the blood of this country. This, Sir, is the last irresistible argument of kings ;—the only one which your abilities cannot answer, nor your integrity oppose with effect. In vain shall you demand an account of the most flagrant waste of public money. The ministry are sure of being protected by the ruffians who received it. The murder of his Majesty's English subjects calls aloud, but calls in vain, for justice. To complain is dangerous, to prosecute might be fatal. We are arrived at that dreadful crisis, at which open murders may well be succeeded by secret assassination. May heaven avert the omen !

Your weight and authority in parliament are acknowledged by the submission of your opponents. Your credit with the public is equally extensive and secure, because it is founded on a system of conduct wisely adopted and firmly maintained. You have invariably adhered to one cause, one language, and when your friends deserted that cause they deserted you. They who dispute the rectitude of your opinions, admit that your conduct has been uniform, manly, and consistent. This letter, I doubt not, will be attributed to some party friend, by men who expect no applause but from their dependants. But you, Sir, have the testimony of your enemies in your favour. After years of opposition, we see them revert to those very measures, with violence, with hazard and disgrace, which, in the first instance, might have been conducted with ease, with dignity and moderation.

While parliament preserves its constitutional authority, you will preserve yours. As long as there is a real representation of the people, you will be heard in that great assembly with attention, deference, and respect ; and if, fatally for England, the designs of the present ministry should at last succeed, you will have the consolation to reflect that your voice was heard, until the voice of truth and reason was drowned in the din of arms ; and that your influence in parliament was irresistible until every question was decided by the sword.[1]

[1] The warm attachment of JUNIUS to every part of the conduct of this distinguished statesman, may perhaps be conceived to import something more than a mere political concurrence of sentiment, and to indicate an ardent personal friendship. The editor has found it necessary to glance at such an idea on several former occasions. Yet, for the honour of JUNIUS, it ought to be observed, that there were few political characters of the day who were more entitled to his panegyric. Upon which subject the reader will not be displeased at being presented with the following brief sketch of Mr Grenville's character from the pen of a gentleman to whom these notes have been already indebted, and who had repeated opportunities of forming a correct estimate of his worth. It is extracted from the second volume of Mr Knox's Extra Official State Papers, from which a letter written by Mr Grenville, on the subject of American politics, has been selected in note to Miscellaneous Letter, No. XXXI., p. 390. The anecdote respecting Florida and Louisiana is infinitely creditable to his 'shrewd inflexible judgment' as a statesman, and his conduct as a minister is in many respects not unworthy the imitation of those who hold the same dignified situations in the present day.

'Mr Grenville, under a manner rather austere and forbidding, covered a heart as feeling and tender as any man ever possessed. He liked office as well for its emoluments as its power ; but in his attention to himself he never failed to pay regard to the situations and circumstances of his friends, though to neither would he warp the public interest or service in the smallest degree ; rigid in his opinions of public justice and integrity, and firm to inflexibility in the construction of his mind, he reprobated every suggestion of the political expediency of overlooking frauds or evasions in the payment or collection of the revenue, or of waste and extravagance in its expenditure. But although he would not bend any measure out of the strict line of rectitude to gain popularity, he was far from being indifferent to the good or ill opinion of the public ; and that tediousness and repetition which his speeches in parliament and his transactions with men of business were charged with, were occasioned by the earnestness of his desire

LETTER LIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR WOODFALL, 12 *April*, 1769.

THE monody on the supposed death of JUNIUS is not the less poetical for being founded on a fiction. In some parts of it there is a promise of genius which deserves to be encouraged.[1] My letter of

to satisfy and convince those he addressed of the purity of his motives and the propriety of his conduct; and while there remained a single reason in his own mind, that he thought would serve those purposes, he could not be content to rest upon those he had already adduced, however convinced and satisfied his hearers appeared to be with them.

'Inheriting but a small patrimonial fortune, he had early accustomed himself to a strict appropriation of his income, and an exact economy in its expenditure, as the only sure ground on which to build a reputation for public and private integrity, and to support a dignified independency; and it was the unvaried practice of his life in all situations, as he has often told me, to live upon his own private fortune, and save the emoluments of whatever office he possessed; on which account he added; "The being in or out makes no difference in my establishment or manner of life. Every thing goes on at home in the same way. The only difference is, that my children's fortunes would be increased by my being in, beyond what they would be if I remained out, and that is being as little dependent upon office as any man who was not born to a great estate can possibly be;" and he manifested that independence at a time and in a manner but little known, and as the relation can now do no harm, I shall repeat the account he gave me of it. He had accepted the seals of one of the secretaries of state in lord Bute's administration, and by so doing drew upon himself the resentment and abuse of the then popular party, and of some of his own nearest relations; his return, therefore, to them, was rendered impracticable upon any occasion, and he had every motive to induce him to remain with his present connexion. Notwithstanding which, he very soon hazarded his continuance in office in support of his opinion, of what ought to be done for the advantage of the public, on the following occasion:

'While the peace was negotiating, the expedition against the Havannah was carrying on, and as the chance of its success or failure was not very unequal, the negotiators agreed to leave it out in their *uti possidetis*, considering the event as perfectly neutral: so that if, after the preliminaries were signed it was found to be taken, it was to be restored without compensation. Before the preliminaries were signed, however, the account of its capture was received, and Mr Grenville immediately proposed that it should now be included in the *uti possidetis*, and compensation for it insisted upon, for as the event was decided before the preliminaries were signed, either party was at liberty to avail themselves of it. Lord Bute thought the treaty was too far advanced to make any advantage of the event being in our favour, and he feared that our making any fresh demand, would not only protract but break off the negotiation, and prevent the peace taking place immediately, which he thought so necessary for the nation. Mr Grenville was clear in his opinion of our right to make the demand, and firm in insisting that it should be made, and proposed two alternatives for consideration. The one, that if we judged it best to get the entire possession of the continent of North America, France having already agreed to cede all Canada, that we should insist upon Florida and Louisiana: the other, that if we thought it necessary to increase our possessions in the West Indies, beyond the three neutral islands, which France had also agreed to give us, we should ask Porto Rico, and the property of what we held upon the Spanish main; and he left the earl with declaring that he would resign the seals, if one of those alternatives was not adopted and insisted upon. After consulting with Mr Fox and lord Egremont, lord Bute agreed to make the demand of Florida and Louisiana, and instructions to that purpose were immediately dispatched to the duke of Bedford, who made so able and strenuous an application in consequence of them, that the duke de Choiseul not only consented to cede Louisiana, but obliged the Spanish minister to cede Florida also, without sending to his court for fresh orders, and the preliminaries were not delayed more than a fortnight by the demand and acquisition of that immense territory.'

Mr Grenville, shortly previous to his death, introduced the act for determining controverted elections, from a thorough conviction, as he declared to Mr Knox, 'that the ruin of public liberty must ensue, unless some check was given to the abominable prostitution of the House of Commons in elections, by voting in whoever has the support of the minister.' The good effects of this excellent act is on all sides the theme of praise so often as a controversy occasions the necessity for an appeal to its decision, the impartiality of which has hitherto never been disputed.—EDIT.

[1] These verses were written by the present sir John Macpherson, formerly governor-general of India. He was the author of several letters in answer to JUNIUS, under the signature of *Poetikastos*. The lines here referred to were as follow.

A MONODY;

OR THE TEARS OF SEDITION ON THE DEATH OF JUNIUS.

Quis tibi Silure furor?

AND are those periods fill'd with tuneful care,
Those thoughts which gleam'd with Ciceronian ore,

Monday will, I hope, convince the author that I am neither a partisan of Mr Wilkes, nor yet bought off by the ministry.[1] It is true I have refused offers, which a more prudent or a more interested man would have accepted. Whether it be simplicity or virtue in me I can only affirm that I *am in earnest;*[2] because I am convinced, as far as my understanding is capable of judging, that the present ministry are driving this country to destruction; and you, I think, Sir, may be satisfied that my rank and fortune place me above a common bribe.

JUNIUS.

Are they, my JUNIUS, pass'd like vulgar air,
Droop'd is thy plume, to rise on fame no more?
Thy plume!—it was the harp of song in prose:
Oft have its numbers sooth'd the felon's ear,
Oft to its tune my Wilkite heroes rose
With couch'd tobacco pipes in act to spear.
Where now shall stormy Clodius and his crew,
My dear assembly to the midnight hour,
Ah! where acquire a trumpeter!—since you
No more shall rôuse them with thy classic power.
Accurs'd Silurus! blasted be thy wing!
That grey Scotch wing which led the unerring dart!
In virtue's cause could all that's satire sting
A bosom with corruption's poison fraught?
Impossible!—then hear me, Fiends of H—ll,
This dark event, this mystery unfold;
Poison'd was JUNIUS? No; 'Alas, he fell
'Midst arrows dipp'd in ministerial gold.'
Then hear me, rioters, of my command,
Condemn the villain to a traitor's doom;
Let none but faithful knaves adorn my band;
Go, sink this character into his tomb.
Here sunk an essayist of dubious name,
Whose tinsell'd page on airy cadence run,
Friendless, with party—noted, without fame,
Virtue and vice disclaim'd him as a son.

POETIKASTOS.

Clodius and Silurus, mentioned in the above lines, were at this time frequent writers in the Public Advertiser; the former against administration, the latter in favour of it. Silurus, assuming a personal knowledge of the writer of the Letters of JUNIUS, thus describes him.

'I know JUNIUS, and I am not surprised that he calls aloud for blood. Bred among the dregs of mankind, he imbibed their vices, and acquired that hardness of heart which is usually produced by crimes. Possessed of some ambition, versed in the low arts of adulation, he wrought himself into the confidence of the vain by unmanly flattery, and rose from obscurity by means which dishonoured his patrons. Smooth in his language, he gained the ear without persuading the heart; and by the help of a good memory, some anecdotes, and trite observations, acquired the reputation of a genius among some slight characters in the literary world. Dark, cunning, deceitfully self-denied, he covered himself with such an appearance of openness and candour, that even some judges of human nature thought him honest, many believed him honourable, few suspected the soundness of his head, none the goodness of his heart.

'Such was JUNIUS before public business called forth the latent and deformed features of his mind: the real man stood then confessed; his speciousness was found to be a mask for hypocrisy; his candour a veil for deceit; his learning discovered to be mere plagiarism; his boasted parts to consist altogether in memory. The flimsy affected, though unaffecting, superficialness of his private discourse was soon traced in the hollow and round periods of his public declamations. Detestation took the place of esteem in the minds of many, hatred took possession of a few, and a contempt for him of all. Detected, detested, despised, in his *real* character, he now assumes a *fictitious* name, for JUNIUS cannot deceive, but where he is unknown.

'*27 March*, 1769. SILURUS.'

[1] The letter here referred to, is that addressed to the duke of Grafton, on Mr Weston's supposed vindication of his Grace, for the pardon of M'Quirk. See Letter IX.—EDIT.

[2] See Private Letter, No. 63.—EDIT.

LETTER LV.

TO THE RIGHT HONOURABLE THE MARQUIS OF GRANBY.

MY LORD, 6 *May*, 1769.

YOU were once the favourite of the public. As a brave man you were admired by the army, as a generous man you were beloved. The scene is altered, and even your immediate dependants, who have profited most by your good nature, cannot conceal from you how much you have lost both in the affections of your fellow-soldiers, and the esteem of your country. Your character, once spotless, once irreproachable, has been drawn into a public question; attacked with severity, defended with imprudence, and, like the seat of war, ruined by the contention. Profligate as we are, the virtues of the heart are still so much respected, that even the errors and simplicity of a good man are sacred against censure or derision. To a man of your Lordship's high rank and fortune, is there

any thing in the smiles of a court that can balance the loss of that affection (for surely it was something more cordial than esteem) with which you were universally received upon your return from Germany? You were then an independent gallant soldier. As far as you thought proper to mix in politics, you were the friend and patron of the people. Believe me, my Lord, the highest rate of abilities could never have given you a more honourable station. From the moment you quitted that line, you have perhaps been better able to gratify some interested favourites, but you have disgraced yourself;—and, to a man of your quality, disgrace is ruin.

You are now in the lowest rank of ministerial dependants. Your vote is as secure to administration as if you were a lord of trade, or a vice-treasurer of Ireland, and even Conway, at your Lordship's expense, has mended his reputation. I will not enter into a detail of your past conduct. You have enemies enough already, and I would not wish you to despair of recovering the public esteem. An opportunity will soon present itself. The people of England are good-natured enough to make allowances for your mistakes, and to give you credit for correcting them. One short question will determine your character for ever. Does it become the name and dignity of Manners to place yourself upon a level with a venal tribe, who vote as they are directed, and to declare upon your honour, in the face of your country, that Mr Luttrell is, or ought to be, the sitting member for the county of Middlesex?[1] I appeal, *bonâ fide*, to your integrity as an honest man;—I even appeal to your understanding.

YOUR REAL FRIEND.

[1] For an explanation of the subject here alluded to, see Private Letter, No. 2. See also p. 146, note.—EDIT.

LETTER LVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *6 June*, 1769.

I WISH the duke of Grafton had thought proper to take the opinion of our gracious Queen's solicitor-general[2] before he pardoned MacQuirk. That worthy lawyer is never at cross-purposes with himself, and I dare say would have maintained the same doctrine in his closet, which he has delivered for the instruction of the public. He says in his last volume, page 12, 'that the pains of death ought never to be inflicted, but when the offender appears *incorrigible*: which may be collected either from a repetition of minuter offences, or from the perpetration of some one crime of deep malignity, which of itself demonstrates a disposition without hope or probability of amendment; and in such cases it would be cruelty to the public to defer the punishment of such a criminal, till he had an opportunity of repeating perhaps the worst of villanies.'

What would this most respectable of all possible lawyers have thought of granting a pardon to a culprit, who had not only been convicted of a repetition of offences, and those not minute but atrocious, but who had actually committed murder? He certainly would have called it something more than *cruelty* to the public. His knowledge of the laws would have told him that the purpose for which this villain was employed by the ministry, was treason against the constitution;[3]—that it was the highest aggravation of the crimes he committed in prosecution of it;—that murder, simply considered, is only an injury to the individual who suffers; or in the most enlarged sense, to society, in the loss of one of its members;—but that when it is connected with, and founded on, the idea of destroying the constitution of the state (which, as

[2] Sir William Blackstone. For the detail of MacQuirk's crime and pardon, see Letter VIII. —EDIT.

[3] In reference to sir W. Blackstone's opinion relating to the Middlesex election. See Letter XVIII.—EDIT.

far as Mr MacQuirk's labours could be supposed to operate, was certainly the case), it then comprehends every quality, which can make an offence of this sort criminal in the eye of the law;—the injury to the individual;—a breach of the public peace and security in a civil light;—and a violation of that political system, on which the liberty and happiness of the community depend. Mr Blackstone would have told the fiery duke, that to pardon such an offender would not only be a most scandalous evasion of law and justice, but the grossest insult to the common understanding of the nation.

His Grace must then have applied to some lawyer of a more flexible character. There is a man, for instance, who seems to have hoarded up a treasure of reputation, not to last him through life, but to squander away at one moment, with a foolish indecent prodigality;—who is not ashamed to maintain an oral doctrine directly opposite to that which he had written, nor to deceive the representative, after instructing the collective body of the nation. This man would willingly have accommodated his authority to the purposes of administration; and as for himself, he could suffer no loss, for which the vanity of an author would not have sufficiently consoled him. The respect due to his writings will probably increase with the contempt due to his character, and his works will be quoted, when he himself is forgotten or despised.

SIMPLEX.

LETTER LVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 10 *June*, 1769.

I AM an old reader of political controversy. I remember the great Walpolean battles; and am not a little diverted with the combats of party at this time. They are still carried on with ability and vigour. Long habit has taught me to pass by all the declamation with which the champions parade. I look upon it as no better than those flourishes of the back sword with which the great masters of my time in the amphitheatre entertained the spectators, merely to show their dexterity, but which made no part of the real engagement. I regard as nothing the trappings of panegyric with which they decorate their friends. I entirely overlook the dirt with which they so very liberally bespatter their enemies. Whenever a *fact* is touched upon, there I fix. When a *distinct charge* is made upon a minister, I look for a *distinct and particular answer*, that *denies*, or *admitting*, explains, or in some favourable manner *accounts* for the *fact* charged. If instead of this I find nothing more than a long paper, in which the author of the charge is called a thousand names, and the person accused is lifted up to the skies as a miracle of ability and virtue, I am obliged, as an equitable judge, to consider the cause not as defended, but as utterly abandoned; and the court must enter an admission by his own advocates of the charge against him.

The conduct and character of the duke of Grafton have been for some time the object of controversy. In what manner have they been attacked and defended? Take as a specimen the controversy of the last week. JUNIUS, whom the ministerial writers appear very much to dread, and affect very much to despise, has made several particular charges upon his Grace. In one column I will state the charges, in the other the reader will see the answers, and he will thereby be the better enabled to judge of the spirit in which this dispute is carried on.

JUNIUS'S *charges*.

First fact.

That lord Chatham was the first object of the duke of Grafton's political attach-

Answer.

The wicked for the sake of mischief approve of your bold falsehoods, and the

ment; yet he deserted him, and entered with lord Rockingham into an administration in which lord Chatham refused to engage.

Second fact.

After uniting with lord Rockingham, the duke of Grafton deserted and betrayed him.

Third fact.

That, after entering again into administration with lord Chatham, the duke of Grafton forced him (lord Chatham) to withdraw his name from it.

Fourth fact.

That the duke of Grafton is chargeable with great inconsistencies with himself in the frequent variations in his opinions and conduct with regard to America, according to the various changes he has made in his connexions.

Fifth fact.

The duke of Grafton had been the friend of Mr Wilkes, and is become his persecutor.

The above charges are, with several others, to be found in the last letter of JUNIUS. The ministerial advocate, *Anti Malagrida*,[1] has since addressed a letter to him, in which the above paragraphs, in the second column, are the only answers which I could discover. The same charges had been made by JUNIUS and others several times before. Always the same reply. JUNIUS and many others say (and I fancy they speak the sense of the nation), that the duke of Grafton imposes upon his sovereign, betrays his connexions, persecutes the man who was his friend, idly irritates the colonies, wickedly alienates their affections from their mother country, invades the liberties of the people, abuses the prerogative of the crown, and has actually subverted the constitution: and when JUNIUS civilly asks the reason of all this—Sir (says he), you are a rascal.

Now, Mr Woodfall, I shall make but one reflection, and that I shall borrow from sir John Brute:—'This may be a very good answer for aught I know at cross-purposes, but it is a damned whimsical one to a people in our circumstances.'

Yours, &c.

AMICUS CURIÆ.

envious love a strain of defamation, which brings down to their own mean level the most worthy and most exalted characters in the nation.

Answer.

To retaliate upon you the abuse which you have presumed to throw upon the duke of Grafton would be raising you into a consequence, to which the meanness of your birth, the depravity of your heart, and the unsoundness of your head, can never have any title.

Answer.

By specious conversation you imposed upon the weak, by open and impudent flattery you gained the confidence of the vain, and you won the favour of the proud by mean unmanly sycophancy.

Answer.

Void as you are of every sense of shame, can you without a blush (but a blush seldom tinges those happy countenances which have been bathed in the Liffy), can you recommend to the people of England, as ministers, men, whose weakness or villany they have already experienced in office?

Answer.

The abilities, the integrity, the dignity of mind, as well as the nobility of family which distinguish the duke of Grafton, have rendered him superior to your abuse.

[1] A writer in the Public Advertiser in favour of administration, but whose letters do not appear to have merit enough to entitle them to be reprinted.—EDIT.

LETTER LVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR WOODFALL, 5 *September*, 1769.

AMIDST the great number of correspondents who have raised *your* paper to a superiority over the rest, I don't remember to have observed lately any of the *female* sex. To a woman of spirit, the most intolerable of all grievances is a restraint on the liberty of the tongue. I can't bear to see the men have it all to themselves ; and shall certainly burst if I am not permitted to put in a word. Much has been said of late about grievances and apprehensions, instructions and petitions, elections and expulsions. Now, Sir, I want to enter the list with one of the most celebrated of your political correspondents : here I throw down my glove, and am in hopes it will be taken up by—JUNIUS. Some people perhaps may blame me for meddling with politics, a science fit only for the men ; but JUNIUS has no right to find fault, for JUNIUS has been the aggressor, by making such frequent incursions into SCANDAL, the natural province of the women.

However, I will do your correspondent JUNIUS the justice to say, that I think him a very fine writer, a great master of composition, and indeed, upon the whole, I have not seen a prettier fellow—upon paper. His former letters have consisted of general declamation or pointed personal abuse. In both of these he has proved himself an adept. There is a great deal of oratory in his declamations, though he is perhaps too flowery and metaphorical, and seems as fond of point and antithesis as any woman is of point lace and French silk. As to his personal attacks, they are irresistible ; no character can stand before him ;—he is the very butcher of a reputation. 'Heaven preserve the characters of all *my* tribe from JUNIUS!' In the art of *exaggeration* he has no equal ; molehills he magnifies into mountains, and views your *smallest peccadillo* through a *double microscope*. Should there be the least spot or speck on your reputation, JUNIUS can spread it out (with the help of a few drops of ink) till it covers you all over, and makes you as black as a fiend ; in short JUNIUS is chief japanner or calumniator-general to the opposition : he is employed to besmear the *ministry* with his very best liquid blacking, and when he has written them out of office, he will no doubt change his colours, take a different brush, and white-wash their successors. I wish he may make as distinguished a figure in the sweet work of panegyric as he has done in the painful task of calumny and detraction !

But of all kinds of abuse, *private* SCANDAL seems to be his *favourite* morsel ; JUNIUS lays hold of a scandalous anecdote with as much keenness as a *spider* seizes an unfortunate fly ; he crawls forth from the dark hole where he lay concealed ; how eagerly he clutches it ; with what a malicious pleasure he drags it along ; his eyes gloat upon it with cruel delight ; he winds it round and round with his *cobweb* rhetoric, and sucks the very heart's blood of family peace !

Various have been the conjectures formed on the question—'Who is this JUNIUS?' I have heard at least twenty persons named whom suspicion points the finger at ; nay, I have been assured at different times that each of them was the author in question. They could not *all* be the writer ; perhaps none of them is.—But in spite of all the curiosity which is imputed to our sex, I declare sincerely, that I would not give a pin for the secret. 'Tis indifferent to me who the man is; and whether he was first dipped in the Thames or the Tweed, the Liffy or the Shannon.

But though I can't tell who JUNIUS *is*, I will tell you what he is *like*. JUNIUS is like a racer in the field of politics, who walks over the course *alone ;* no one venturing to start against him. I have for some time had a violent inclination to enter at the post, although I am sensible the odds at starting would be greatly against the filly ; but for all that, perhaps, I should be up with him

at the *long run*. But I have run out my simile, and therefore must beg leave to take a fresh one. *Your* paper, Mr Woodfall, is become the grand political cockpit, and JUNIUS struts about in it like a cock whom nobody can match; suppose that I were pitted against him; how do you think the bets would go? And what are the odds that he does not come off HEN-PECKED? If I should happen to get the better of him, it will be as much a matter of public wonder as the late affair of the hen in Scotland-yard, who 'attacked a prodigious large rat that was carrying off one of her chickens, and after fighting a considerable time, *killed the rat*, to the great joy and surprise of the spectators.' And besides how great will be the honour accruing to our sex from such a victory! It will be recorded amongst the most famous exploits in the annals of female prowess; and I shall be ranked with the most renowned heroines of antiquity, Thomyris and Semiramis, Judith and Deborah.

But perhaps the defeat of this political Holofernes may not be so very difficult; and indeed on a nearer view he does not appear half so formidable. When JUNIUS stalked upon the HEIGHTS of *declamation*, he appeared of more than ordinary size, but now that he has descended to the *plain ground* of reason and argument, he appears nearly on a level with common men. His letters on the Middlesex election are most sophistically dull, unless where he throws in some personalities by way of giving spirit and flavour to his political olio. However, I don't believe that with all his sophistry he has made a single convert to his opinion. I fancy there is hardly one cool, moderate, impartial person in England who does not think that the House of Commons are the *only* judges of their own privileges; that no power on earth can force a member upon them, whom they have declared *incapable of being elected;* and that if any person under such known and declared incapacity happens to have the greatest number of votes, the candidate who has the next greatest number of legal votes must of course be the sitting member. This *opinion* seems to me to be perfectly agreeable to reason, to common sense, and the principles of the constitution, and (notwithstanding the *delusive* appearance of petitions obtained we all know how) I do verily believe it is the opinion of every candid, impartial, unprejudiced person in England; in short, of all those who are not the *tools of faction*, or the *dupes of party*.

I am, Sir,
Your humble servant,
JUNIA.[1]

LETTER LIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *7 September*, 1769.

I FIND myself unexpectedly married in the newspapers, without my knowledge or consent. Since I am fated to be a husband, I hope at least the lady will perform the principal duty of a wife. Marriages, they say, are made in heaven, but they are consummated upon earth, and since *Junia* has adopted my name, she cannot, in common matrimonial decency, refuse to make me a tender of her person. Politics are too barren a subject for a new-married couple. I should be glad to furnish her with one more fit for a lady to handle, and better suited to the natural dexterity of her sex. In short, if *Junia* be young and handsome, she will have no reason to complain of my method of conducting an argument. I abominate all tergiversation in discourse, and she may be assured that whatever I advance, whether it be weak or forcible, shall, at any rate, be directly in point. It is true I am a strenuous advocate for liberty and property, but when these rights are invaded by a pretty woman, I am neither able to defend my money nor my freedom. The divine right of beauty is the only one an Englishman

[1] This letter was claimed, as the production of his own pen, by the late Mr Caleb Whitefoord. —EDIT.

ought to acknowledge, and a pretty woman the only tyrant he is not authorized to resist.

JUNIUS.[1]

LETTER LX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR WOODFALL, 8 *Sept.* 1769.

IT is hard to determine whether the actions of the present ministry more excite abhorrence and indignation, or the writings of their advocates contempt and ridicule: every action of the former is an invasion of our liberty or our property; every line wrote in their defence by the latter is an insult to our understanding, and a base mockery of our sufferings. I have never yet known a bad cause made better by a bad defence. I cannot conceive what induces his Grace of Grafton to employ such a set of wretches to laugh at us, whilst we are burning at the stake to which he has tied us. It is as void of policy as it is full of inhumanity. Oppression is more easily borne than insult; and the duke of Grafton, with his now directors, the Bloomsbury gang, may find that it is dangerous to despise those whom he has deeply injured. Why does he let loose upon us his troops of fools and madmen, and buffoons and bullies? He would do more wisely to employ them in their proper places, reserving them to excite the mirth, and add to the wit, urbanity, and elegance of the midnight festivity of his kindred and friends, Weymouth, Gower, and Rigby, at Bedford-house.

If the freeholders of this country, alarmed at the invasion of their last and dearest right, the freedom of election, beg in the humblest terms for redress, *Poetikastos* dances before them in a fool's coat, squirts dirty water in their faces, and then cries out to the great joy, and with the loud applause of the *gang*,—'You are redressed.' To every other complaint, whether of the disgraces which we suffer abroad, or of the oppressions which we feel at home; whether the cry be for property ravished from us, for our liberties infringed, for the laws perverted, for the constitution overturned, we have much the same answer. *Silurus* is let loose from his cell to vent his madness, and cover us with his filth.—*Pericles*[2] stands by him calling out rogue and scoundrel; and then with one voice the minister who employs, and the wretches who are employed, cry out,—'We have defeated them; they never dare appear again; we have hanged them up to public scorn: you are a coward, cries one; I will cudgel you, says another; I will lay you a bet of 14,000 guineas, bawls a third.'[3]

Does the duke of Grafton really think that such actions as his are sufficiently defended by such arguments as these? Are those the lawyers whom he has retained against that dreadful day—for that day will come—when a brave, a haughty, and a spirited, though patient, people, shall demand vengeance on his head for all the disgraces and injuries which he has heaped

[1] JUNIUS repented that he had written this letter as soon as it had appeared. He regarded it as idle and improper; and it was on this occasion that he addressed to Mr Woodfall the private note, No. 8, dated 10 Sept. 1769; in consequence of which the following observation appeared in the notice to correspondents in the Public Advertiser of 11 Sept.

'We have some reason to suspect that the last letter signed JUNIUS, inserted in this paper of Thursday last, was not written by the real JUNIUS, though we imagine it to have been sent by some one of his waggish friends, who has taken great pains to write in a manner similar to that of JUNIUS, which observation escaped us at that time. The printer takes the liberty to hint that it will not do a second time.'—EDIT.

[2] *Poetikastos*, *Silurus*, and *Pericles* were writers in the Public Advertiser in favour of administration.—EDIT.

[3] A challenge had been absurdly given to JUNIUS by several writers in the Public Advertiser, as well as by sir William Draper; and one correspondent, as here referred to, had the egregious folly to propose a bet of 14,000 guineas, being, as he stated, his whole fortune, 'that he could produce in six months a counter-petition, signed by 4,000 freeholders, *all men of sense*, begging his Majesty to confine the ring-leaders of the opposition, and bind them over to their good behaviour.'—EDIT.

upon theirs? Are these to be his intercessors to a misguided and betrayed king for mercy? Enjoy with your associates, my Lord, their buffoonery and their scurrility whilst you may: the day is not far off—if the Almighty has not in his wrath given up this country to that worst of punishments, that most intolerable of all tyrannies, the government of insolence without spirit, violence without vigour, ambition without dignity, obstinacy without resolution, and ignorance without diffidence—the day is not far off, when these insults will be retorted most severely, and humanity itself will not be able to keep them from your head, though that head should be on the block.

AUGUR.

LETTER LXI.

TO HIS GRACE THE DUKE OF GRAFTON.[1]

MY LORD, 10 *November*, 1769.

THE facility with which you abandoned your earliest connexions in friendship and politics, was, I doubt not, a leading recommendation to establish your credit at St James's. A gracious discerning prince, who, even at the moment of his accession, had fortitude enough to get the better of every predilection which he might be supposed to have inherited from his ancestors in favour of the friends of the House of Hanover, must have observed with pleasure that your Grace was equally ready to desert the friends who contributed most to your advancement, and to adopt new principles of government. I will not complain of a change of system, for which you had so powerful a precedent, and which you have found so favourable to your ambition. But there are rules of decency, my Lord, which a wiser man would have observed even in the grossest violation of morals. There is a certain sort of hostilities which is forbidden by the laws of war between nations, and by the laws of enmity between individuals. The contentions of party have given a fashionable latitude to the principles of modern morality; but still, my Lord, there are some characters too great and venerable to be insulted; there is yet a certain breach of decorum, which the public will not submit to. Was the duke of Rutland the only man in this country at whose expense you could gratify lord Denbigh? One would think, my Lord, that if his uniform adherence to the principles of the revolution, his steady attachment to the House of Hanover, and the important services which he and his family had rendered to that House, could possibly be forgotten, there was yet something in his age, his rank, his personal character, and private virtues, which might have entitled him to respect. Was it necessary, my Lord, to pursue him into his own county on purpose to insult him? Was it proper, was it decent, that while a duke of Rutland is lord-lieutenant, the earl of Denbigh's recommendation should govern the county of Leicester?[2] Had lord Denbigh no friends in Leicestershire but rank Tories to recommend for the commission of the peace? And is it under a prince, who owes his crown to the Whig interest of England, that a minister dares to send such a mandate to the duke of Rutland? I know his Grace's spirit, and doubt not of his returning you an answer proper for you and for himself.

United as you are, my Lord, with men whose concern for the safety of the church, and whose zeal for the prerogative of the crown, has been so often unluckily mistaken

[1] This letter was printed by the desire of JUNIUS in the Public Advertiser, but was not written by him. See Private Letter, No. 11. It was, however, so generally supposed to have been his, that JUNIUS himself thought it necessary to request the printer to publish the following contradiction in the same journal, Nov. 17. 'We can assure the public that the letter signed A. B., relative to the duke of Rutland, is not written by the author of JUNIUS.'—EDIT.

[2] It refers to certain justices of the peace having been made at the request of lord Denbigh, by a commission of the lord chancellor (Camden), and others, for the county of Leicester, without consulting the duke of Rutland, who was lord-lieutenant, and who, *ex officio*, ought to have been honoured with the nomination.—EDIT.

for simple jacobitism, I take for granted you are as well acquainted with their history as with their principles. You are able to tell us, and surely the public has a right to expect it from you, by what species of merit the earl of Denbigh has contrived to make himself so distinguished a favourite at court. Was it the notorious attachment of his family to the House of Hanover, or his own personal accomplishments? Was it his fortune that made him respectable, or his beggary that made him submissive? Was it the generous exertion of his great abilities in parliament, or the humble assiduity of his attendance at lord Bute's levee? Was it the manly firmness of his personal appearance, or the pliant politeness of his temper? Was it the independent dignity with which he maintains the rank of a peer, or the complaisance with which he accepts and executes the honourable office of a spy? Whatever have been his merits or services, they are undoubtedly of a complexion very different from those of the duke of Rutland.

His Grace has now wisely exchanged that busy scene, in which he never appeared but with honour, for an hospitable retirement. His age will not permit us to hope that he can long be the object of the spite of such a creature as lord Denbigh, nor of the scorn and insult of such a minister as your Grace. But he will leave a family, my Lord, whose principles of freedom are hereditary, from whose resentment you will have every thing to apprehend. As for himself, I shall only say, that if it were possible for the views and wishes of the Tories to succeed; if it were possible for them to place a Stuart once more upon the throne, their warmest hopes and ambition might be disappointed. He too, like another judicious prince, might think it the best policy of his government to choose his friends and favourites from among the declared, notorious, determined enemies of his family. The Tories who placed him upon the throne, might be driven disgracefully from his presence; and, upon the same principle, I challenge your Grace to point out a man more likely to be invited to the place of first minister and favourite, than the duke of Rutland.

A. B.[1]

[1] The above letter, though avowedly not from the pen of JUNIUS, was reprinted in the Public Advertiser from another journal at his request. It was replied to a few days afterwards by the letter that follows it; to withhold which would be an act of injustice.—EDIT.

LETTER LXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 17 *November*, 1769.

JUNIUS may change his signature, his manner he cannot change. The far-fetched antithesis, the empty period, the pert loquacity distinguish the writer; and the rancorous and impudent falsehood discovers the man. In vain has he attempted to conceal himself under initials; he is as invariable in the tenor of his diction as he is in the bias of his mind.

It was, however, a mark of some judgment in Mr —— to use a new signature in your paper of Friday. *A. B.* may praise the duke of Rutland, though JUNIUS has infamously traduced the marquis of Granby.[2] By a mean subterfuge, an appearance of propriety may be preserved among the superficial; but the generous and discerning must despise and detest a man who makes the interest of a profligate party the only standard by which he regulates his encomium as well as his abuse.

But to set the public right in a matter of fact is the only design of this letter. The insertion of particular persons by mandate, without issuing a new commission of the peace, has been in daily practice; and is an undoubted power lodged in the great seal; but in that alone; nor can any other servant of the crown interfere no more than in a decree of that great officer, the chancellor in the Court of Chancery.

The principles of that noble Lord are as

[2] The marquis of Granby, eldest son of the duke of Rutland.—EDIT.

well known as those of the remainder of the king's ministers, who, notwithstanding every aspersion to the contrary from factious artifices, have on every occasion proved themselves to be the supporters of the real liberty of the people, and of the true spirit of the constitution.

Has the lord chancellor in any instance deviated from such a character? And yet if JUNIUS, or his shadow *A. B.*, were right, this noble lord would be termed a jacobite: for if there is any thing improper in the appointment, he is the man who should be charged, and not the duke of Grafton, on whom calumny endeavours to fix the mistakes of others.

JUNIUS, in his zeal for his party, defeats the means he uses to serve them. Unfortunately for his cause, the attacks he makes upon, and his charges against, the duke of Grafton, require only to be fairly stated to confute themselves; and thus (I will do him the justice to suppose), without design he becomes the panegyrist of a character he wishes to ruin in the eyes of the world.

I am, Sir,
Your humble servant,
MESSALA.[1]

LETTER LXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *17 November*, 1769.

I WILL not pretend to say that the inclosed letter is a very severe libel on its right honourable author! And yet, Mr Woodfall, you may safely print it; for though we have laws against self-murder, there are none against self-libelling.

A curious collection of correspondence, both political and amorous, has lately fallen into my hands, with which I shall from time to time furnish you, reserving the most extraordinary of both kinds till the last, *pour la bonne bouche*.

X. X.[2]

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[1] To this letter *A. B.* gave an answer, but as it decidedly was not written by JUNIUS, we have omitted it.—EDIT.

[2] Mr Onslow was at this time persecuting Wilkes with all the acrimony in his power, in unison with the duke of Grafton, both of whom had a few years before professed the warmest friendship for Wilkes. Mr Horne, not then at enmity with Wilkes, had just published the following letter of a similar kind, of which Wilkes had given him a copy:

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *14 July*, 1769.

MANY of your readers having seen an abuse on Mr Horne, for the publication of a letter from Mr Onslow to Mr Wilkes, are desirous of seeing that original.

COPY OF A LETTER FROM GEORGE ONSLOW, ESQ. TO JOHN WILKES, ESQ.

Ember Court, 21 *September*, 1765.

MY DEAR OLD FRIEND,

HAVING been most shamefully silent to you during the remainder of an opposition which did honour to every man concerned in it, and to the credit of which you so much contributed, I now begin my correspondence with you, at my first entering into office with, and under, an administration, whose principles, I hope and believe, will authorize your giving equal support to, in their very different situation. If they did not, as I know they do, revere and hold sacred those sentiments they avowed during the two last years, and in abhorrence those vile and detestable ones of persecution and injustice, by which the public were so injured in your person, I should be ashamed of what I am now proud of—bearing the small share I do among them.—Public marks of this, as well as private ones, I hope will soon take place.

Honest Humphrey has dined with me here to-day, and we have just drank your health, as we have often done. Honest as he is, I never felt him more so than your last letter to him, which he has just now showed me, has made him appear to me, in having done justice to my very sincere and constant regards to, and admiration of, you. Every word of this letter of yours (dated the 26 Aug. from Geneva) I subscribe to, and think and persuade myself the completion of our patriot, not selfish, wishes (for such they are not) will soon appear among many other proofs of integrity, steadiness, and virtue, in the present ministry, and of their being as inimical as ever to those whom they have been opposing, for having acted contrary to all these principles.

Your friend, Mrs Onslow, has been enjoying with us, in infinite mirth, your last specimens of notes on different parts of great Churchill's works, viz. Hogarth, Talbot, and the scoundrel Bishop. They are specimens indeed of your amazing wit and abilities; and when he has more of them he has promised me a copy.

Believe me, my dear John, your mentioning me as you do gratifies my pride, as it will always

My Dear Wilkes,

I am very sorry to have been prevented seeing you to-day; but I hope to have a good account of you by the return of my servant who brings you this: perhaps you may be better if more of your friends besides myself have missed troubling you to-day; as I'm sure quiet and keeping down your wonderful flow of spirits must do you good. To most men in your situation such a caution would surely be needless, because men of less greatness of mind, and of a less noble spirit than yourself, would yield to such a load of damnable persecution, from the most dangerous administration that ever was in this country. But honest men like yourself know how to despise *it and them*, and to rise superior to them all.

If I had a mind to raise your indignation, I would bid you think of the similarity of these times to those you and I have talked of with abhorrence; but as I mean always to add to your comfort and satisfaction, I will desire you to think of the similarity of your own circumstances to those of the many great and good men that lived in those times, and suffered as you do now. Remember how greatly they were thought of, and how their characters are respected now, and remember, and be assured to your comfort, that let the iron hand of power fall ever so heavy on you (it can't fall very heavy from your innocence) every honest man, and every gentleman, must bestow the same degree of applause on you as they must of abhorrence and detestation on your and their country's enemies. I will certainly call on you to-morrow morning or evening. I have nothing new to send you. I hope it is not *so* to you that I am unalterably,

Dear Wilkes,

Your faithful and affectionate

Curzon-st., Monday night, humble servant,

21 *Nov.* 1763. GEORGE ONSLOW.

Mrs Onslow sends you her comps. I wish you would appoint honest, faithful Humphrey to meet me at your house precisely at one o'clock on Wednesday. I have a thousand things to say to him.

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do to show myself your friend and humble servant. I was always so as a public and as a private man. Our good friend Humphrey and I are at this moment in your service, and from us both you shall soon hear, particularly as to the contents of your letter of the 26th. I beg you to believe that I most truly and affectionately am your faithful, humble servant,

Geo. Onslow.

Postscript. Postpone your judgment till you hear again from me, on what I lament as much as you can do, and think of as you do—Mr Pitt and lord Temple's being not in employment.—Edit.

LETTER LXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

Sir, 20 *Nov.* 1769.

I cannot but admire the easy assurance with which that modest gentleman, who writes for the Gazetteer, informs us that he has gained a complete victory over Junius. It is not the first time that the silence and moderation of Junius have been mistaken for submission, nor is this the first blockhead who has plumed himself upon an imaginary triumph over the favourite of the public.—I wish, however, if he be in the secret, that he would tell us plainly whether the officers of the guards are to be tried or not? If they are not, the observations, made by Junius upon the conduct of the ministry, return with double force. If they are, Junius is right, and acts honourably in not pushing his inquiries further.[1] As to the facts, it is unnecessary for him to say any thing in support of them. They are so notorious, that the parties themselves cannot, dare not deny them. If captain Garth did not wilfully abandon his guard, why does he not demand a court-martial

[1] Junius, in Private Letter, No. 11, assigns the following reason for thus declining it: 'The only thing that hinders my pushing the subject of my last letter, is really the fear of ruining that poor devil Gansel, and those other blockheads.'—Edit.

to clear his character? And would not the ministry, for their own credit, take care that captain Dodd should be brought to a trial if they were not absolutely certain that a court-martial must cashier them? Truly, Sir, these gentlemen have a bitter enemy in *Modestus*.[1] It appears to me that he has some secret rancour against them, which nothing can satisfy but the loss of their commissions.

X. X.

LETTER LXV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 23 *Nov.* 1769.

JUNIUS and his journeymen have engrossed the whole alphabet; but from *A. B.* to *X. X.* the style and manner of the shop are easily discovered. From alpha to omega, the same attention to a period, and the same neglect of good sense, manners, and propriety. However, *Mr X. X.* in to-day's Public Advertiser has even out-Heroded Herod. It was certainly unpardonable presumption in the modest gentleman who writes for the Gazetteer to assume the merit of a victory over the young gentleman who writes for the Public Advertiser. But *Te Deums* have been sung before on as slender foundations. The young gentleman, with that fire and spirit which accompanies green years, threw down his glove to the world, and challenged all mankind to contradict the truth of certain facts, or the justice of certain observations. He proposed, if not a reward to the champion who should vanquish him, at least a punishment to himself if vanquished, nor that a slight one, if he were, as *X. X.* says he is, the favourite of the public. The modest gentleman ventured to take up the glove, and with a boldness not very consistent with his name, demonstrated that the narrative was false in every circumstance material to the question; and the observations not only ridiculous in the view of supporting the conclusion attempted to be drawn, but in a supreme degree injudicious to the cause they were intended to promote.

To this JUNIUS, with prudence beyond his years, makes no reply, and *Modestus*, after a decent forbearance, presumes to put him in mind of his challenge. This produced the letter signed JUNIUS, in your paper one day last week; in which, to speak negatively, he neither supports the truth of his narrative, nor the justice of his observations, and in which, to speak positively, he gives up both. Not fairly, nor with the candour of a gentleman, who is convinced of his rash and dangerous mistake; but with the struggles and evasions of a culprit who is convicted of a crime.

Upon this true state of the dispute, *Modestus* most impudently assumed to himself the victory; and I must confess he seemed to have the appearance of a claim to it. But *Mr X. X.* has clearly demonstrated the contrary; and the method this honourable gentleman has taken to chain victory to the triumphant car of the public's favourite adds greatly to his merit.

A person of vulgar understanding would have descended into a tedious detail; he would have endeavoured to show by argument and fact that JUNIUS was in the right, and *Modestus* in the wrong. But *Mr X. X.*, another Alexander, cuts the Gordian knot at once, and annihilates the pretensions of *Modestus* with a single word. There is so much energy, so much eloquence, so much of the polite scholar, the gentleman, and the patriot, in the term *blockhead*, that if *Modestus* possesses but a shadow of what its name imports, he must fairly confess himself routed; and instead of *Te Deum*, I would advise him to sing *De profundis*.

It was to be sure the height of insolence in *Modestus* to attack the favourite of the public; but it may be pleaded in his excuse, that the public has several favourites who are shrewdly suspected to be unworthy of its favour; and JUNIUS has staked and

[1] *Modestus*, as before observed, was a Mr Dalrymple, a Scotch lawyer.—EDIT.

forfeited that favour of which he had much reason to be proud. But pray, *Mr X. X.*, have not you been guilty of a trifling error, by substituting the public in place of the mob? You wish to know whether the officers are to be tried or not. For answer give me leave to ask you whether you have learned to read? Had that essential part of your education been attended to, you would not have been so ignorant of what has been explained again and again, and you would not have been so illiberal to imagine you could better a bad cause by calling names; an argument which deserves no answer but the strapado.

But your education did not depend on yourself, and perhaps you are left-handed, which I have been told by many intelligent Hibernians, your countrymen, is an insurmountable bar to scholarship; yet common sense is the portion of the unlearned as well as of the learned, and though you may be but an indifferent scholar, there was no occasion to insult her in the way you have done. The world hitherto has believed that JUNIUS was rather unfriendly to the officers concerned in general Gansel's rescue, when he publicly aggravated their offence from a common breach of the peace to an outrage against the constitution; and it believed, that *Modestus* was not their enemy for endeavouring to show that JUNIUS was in the wrong, and representing all the circumstances of excuse which the nature of the case afforded. But here also *Mr X. X.* has convinced the world of its mistake: and it stands on his infallible authority, that JUNIUS is a faithful friend to these officers, and *Modestus* a rancorous and inveterate enemy, whom nothing can satisfy but the loss of their commissions. The force of genius is certainly wonderful! It discovers in propositions the very reverse of what they contain. But, *Mr X. X.*, when you address the public again, remember, that though paradoxes astonish, they do not convince against evidence.

However, we are but seconds in the quarrel between *Modestus* and JUNIUS, and we ought not to suffer our principals to proceed to extremities. To soften the rancour of their contention, I would propose that some friendly unfriendly greeting (as Shakespeare calls it) should pass between them. They need not exchange armour like Glaucus and Diomede (an example which would afford me many choice allusions if I had time to pursue them), but they may exchange names. The propriety of this no man can dispute, for even *X. X.* will agree with me, that *Modestus* is a little young, and JUNIUS not a little modest.

I am, Sir,
Your humble servant,
Y. Y.

LETTER LXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 25 *November*, 1769.

FOR answer to my last letter, in which I asked a very plain question, *viz.* Whether the officers of the guards were or were not to be tried for the rescue of general Gansel?—your correspondent *Y. Y.* contents himself with another question, whether I had learnt to read? The question is pertinent enough, and as much to the purpose as if he had enquired the hour of the day. Will this gentleman be so good as to quit all circumlocution, and tell us what we are to trust to? Is captain Garth, who deserted his guard at noon day, an equerry to the duke of Cumberland? Did he not leave the command of his guard to a person who had as little right to take it as Buckhorse, and is he or is he not protected by his Royal Highness?—Is not captain Dodd the old friend of Henry Lawes Luttrell, and the son of the oldest and most intimate crony of lord Irnham? Have either of the parties denied any one of the facts stated by JUNIUS?—Has not colonel Salter been ordered to hold his peace?—Has not William viscount Barrington, secretary at war, most infamously neglected his duty in not moving the king to order a court-martial for the trial of these offenders? And has not the

adjutant-general publicly and repeatedly, though in vain, represented that they ought to be cashiered? What will the flat general contradiction of an anonymous writer avail against circumstances so particular, so well vouched, that the parties most concerned are ashamed or afraid to deny them? How is JUNIUS to prove his facts but by such a particularity and precision in the state of them, that no man, who knows any thing of the matter, will venture to dispute the truth of them? In this case a negative is as strong as a positive proof, and the only proof the thing will admit of. It is absolutely incredible that neither captain Garth nor captain Dodd should contradict such facts, as lead immediately to their ruin, if justice were done.—Nothing but shame and self-conviction keep them silent.

As to argument, I should be glad to know why the letter signed *Moderatus*[1] has not been answered? It has not even been attempted.—Depend upon it, Sir, the silence of JUNIUS portends no good to the ministry.[2] When he honours them with his notice it is not a momentary blast. He gathers like a tempest, and all the fury of the elements bursts upon them at once.

X. X.

LETTER LXVII.

For the Public Advertiser.

28 *November*, 1769.

TO JUNIUS.

SIR,

THOUGH you may choose to vent your illiberal resentment under the borrowed signature of *X. X.*, I, who think scurrility no disgrace to your real name, shall not affect to make a distinction where there is no difference. For the same reason I do not plead that, JUNIUS having given the challenge, I am not bound to enter the lists against any other. It is a peculiar advantage in this sort of warfare, that when a man is routed in his own person, he can still keep the field under another; and you in particular have a right to the device, *non vultus, non color unus.*

After giving up the question as JUNIUS, you come back upon it as *X. X.* It would be a labour indeed to answer you the same questions in every form you are pleased to assume. But for once I will take the trouble to repeat what I have already said, not from any merit or novelty in your questions, but to leave you without excuse. Had you turned over to my letter in the Gazetteer of the 13th of November, you would have discovered that the gentleman, who asked *Mr X. X.* whether he had learned to read, did not put a very impertinent question. It is there stated that captain Garth was no otherwise concerned in general Gansel's rescue than by being absent from his guard when it happened. This is undoubtedly a military offence; and if the friendship of JUNIUS or *X. X.* will still insist to have it punished, there is no help for it. But it is not true that captain Garth left his guard to be commanded by any person; and it is immaterial to the question whether he be equerry to the duke of Cumberland, or protected by him. If the thing is so, I congratulate him: but surely that honour neither makes him a criminal, nor aggravates his supposed crime. With respect to captain Dodd, you have brought a fresh charge against him, to which there can be no defence. He is, it seems, a companion of colonel Luttrell, and his father is the intimate friend of lord

[1] Inserted in the genuine edition as Philo Junius, Letter XXXI.—EDIT.

[2] The quotation in the note to the preceding Letter, from Private Letter, No 11, is followed by these words: 'But as soon as a good subject offers.' This was fulfilled in the attack upon the duke of Grafton in Letter XXXIII., for the gift of a patent place, customer of the port of Exeter, to colonel Burgoyne who sold it, with the supposed knowledge of his Grace, to Mr Hine for £4000. This JUNIUS deemed so strong a hold upon the duke, as to advise the printer, on a threatened prosecution for publishing this letter, which contains a very severe statement of the fact, 'not to shew fear, but to tell them he would justify, and subpœna Mr Hine, Burgoyne, and Bradshaw of the Treasury,' as that would 'silence them at once.' See Private Letter, No. 15.—EDIT.

Irnham. I am sorry for it; but if he is guilty of such a crime I must give him up; and I do it with the utmost gratitude to the friendly and compassionate JUNIUS, who requires no greater punishment for an offence of this heinous nature, than to ruin the fortune and reputation of the person who committed it.

I must also congratulate you upon that candour and moderation with which you declined the contest on this point, lest you should prejudge the trial, civil or military, which I told you was intended. This circumstance affords so striking a proof of your humanity, that you leave me at a loss in what manner to acknowledge it.

But raillery apart. Have you really forgot, or are you so supine, that you could not take the trouble to look over my letter, before you crowded together so many ridiculous questions? It is there affirmed that these unfortunate gentlemen would have been immediately tried by military law, unless it had occurred, that a trial by court-martial might possibly prejudge the civil action intended to be carried on by the party injured. Some reasons for this were given, and such as ought to have satisfied a patriot at least. But I have learned by much observation that nothing will satisfy a patriot but a place.

Once more I will state those reasons, and though I do not believe you will feel them, yet I am persuaded every man, who knows or values our constitution, will be convinced of their weight.

By the articles of war a military officer who shall oppose or resist the civil magistrate in the execution of his duty, shall be cashiered; and the only question that remains is, in what manner can the offence be ascertained? I maintain that a court-martial cannot enter into the question of fact, by leading evidence to prove that the offence was committed, because this would be to deprive an Englishman of his right of trial for civil offences by jury. The legal and constitutional method of procedure in these cases is a common trial at law for a civil offence, and a conviction of the offender at common law is the only evidence upon which a court-martial can proceed to inflict the military punishment. This being so, had a court-martial been ordered, or were it now ordered upon these gentlemen, it would be a manifest violation of their privileges as Englishmen; because the issue is not yet tried at common law; and till the offenders are tried and convicted at law, there exists no medium on which a court-martial can proceed.

This doctrine may be new to you; but it is not so to any man acquainted with the constitution of which you pretend to be an assertor. The single point in dispute between us is, whether the ministry acted properly or improperly in the affair of general Gansel's rescue? You say the minister ought to have ordered a court-martial to try the officers concerned in it immediately; and because he did not you accuse him to the public. I, on the other hand, affirm, that a court-martial ought not to have been called immediately; that the officers could not have been tried consistently with the laws of the land; and if the minister had acted otherwise than he did, he would have been guilty of a very gross violation of our rights. The reasons on which we found this difference in opinion are before the public, and it will judge of them without respect to you or to me. Whether the parties have denied the facts or not, whether colonel Salter speaks or holds his tongue, are very immaterial circumstances; but if my position is right, lord Barrington has not neglected his duty in not moving the king to order a court-martial, which the king could not order in the present state of the case, consistently with that tender regard which his Majesty has ever shown for the civil rights of his subjects. To answer directly the question you ask, whether or not the officers are to be tried? is impossible. It is a future event, and though the present intention of the ministry is, I believe, favourable to the rancour of JUNIUS, no man can tell what time may produce. But the question is certainly premature, and indeed the whole dispute would have

come more properly before the public after the civil trial, which naturally and necessarily must precede the court-martial.

No motive engaged me to enter into this altercation, save an honest indignation excited by your malevolence, ignorance, and misrepresentation. I foresaw the illiberal abuse to which I exposed myself, and I received it as it deserves to be received. I will not do any of your allies the honour to take notice of them, but I recommend it to you to tie up that over-drove animal John Bull, who seems indeed to be stimulated to madness, that he may no longer profane a respectable name, but own that which he received from his godfathers and godmothers, *viz.* Patrick O'Bully.

MODESTUS.

LETTER LXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 2 *Dec.* 1769.

I NEVER doubted that the unfortunate *Modestus*, if left to himself, would soon ruin himself and his clients. He has now fairly clinched the matter. In his letter of this day his whole defence of the duke of Grafton, and all the weight of his arguments against JUNIUS, are made to rest upon a supposed certainty that, when the common law has taken its course, the officers of the guards will be brought to a court-martial. Here then we join issue with *Modestus;* and though near ten weeks have elapsed since the rescue of general Gansel, we are ready to admit that it is not yet too late for the minister to do his duty; but if, notwithstanding the assurances given us by *Modestus*, it should appear that there never was an intention to bring these offenders to a trial, how will he answer it to the public, that he has dared to take up such a cause, and to impose so many gross falsehoods upon our credulity? As a friend, I would advise him to look out in time for some plausible evasion. The ministry have singular reasons for every thing they do, and I will venture to foretell that the officers of the guards will never be brought to a court-martial, because their offence is so great, that they must inevitably be cashiered.

X. X.

LETTER LXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 5 *March*, 1770.

THERE is a certain set of men, who, upon almost every action of their lives, are insulted with the pity both of their enemies and their friends. They seem to have discovered the art of doing whatever is base and detestable, without forfeiting their claim to the public compassion. A bad man, with resolution and abilities, is a formidable being. His great qualities compensate for the absence of good ones, and though not entitled to esteem, secure him from contempt.—The persons I speak of are not in this predicament: they have nothing elevated in their vices. In vain do they labour to distinguish themselves by the violation of all public duties and private engagements. They still preserve their natural mediocrity of character, and have as little chance of being honoured with the detestation, as with the esteem of their country.

I cannot mention the name of sir Edward Hawke without concern. How unfortunate it is that a heart, unacquainted with fear, should have so little sense of propriety and decorum! I should be sorry to puzzle him with intricate questions either of policy or morals, but there are some distinctions within the reach even of *his* understanding. In his situation, it particularly became him to regulate his conduct by the judgment of the public. Though not expected to think for himself, he might have taken a generous part with the friends of his country, and still have been respected for the integrity of his intentions. To what a poor, insignificant condition has he now

reduced himself! Behold him, at such a conjuncture as the present, meanly keeping possession of an office, which he owes to lord Chatham's friendship, and distinguished as the only surviving minister (of those introduced into the cabinet by lord Chatham [1]), who supports the present administration. What opinion can he deliver in the House of Commons? What measures can he maintain in the cabinet? Instead of the dignity of thundering out secrets of state from the gallery, we see the first lord of the Admiralty skulking into the House, just before a division, as if he thought that everybody had heard the peremptory message sent him by Mr Bradshaw.

As to his opinions in council, he must either adopt a new set of ideas, or, if he presumes to differ from his colleagues, must silently submit to be over-ruled. On these terms he may be permitted to keep an employment, which, since he sold his stock in the beginning of the winter, produces nothing, in addition to the salary, but the means of providing for his friends. The choice of commodore Hill and admiral Geary proves that he can discover latent merit in the most unpromising subjects. By this disposition of the command at Chatham and Portsmouth, he seems to aim at encouraging *future* services, rather than in rewarding the past; and as to his economy, was it possible to give a better proof of it, than by turning adrift a multitude of poor artificers to idleness and beggary, on purpose to make up four pounds a day for the use of Mr Geary?

Admiral Holburne's services in America have also been very properly considered. When so many Englishmen vacate their places, it would be strange indeed if a Scot of such distinguished merit had been left unprovided for. Sir Percy Brett resigns, —Mr Holburne succeeds him, and sir Edward Hawke is still first lord of the Admiralty! Proceed, sir Edward, in this honourable line. Be a spendthrift of your good name. We shall not quarrel with your prodigality, for you have a right to waste the reputation you had acquired. You once contributed largely to save this country, and have a creditor's claim to contribute to its destruction.

The indigent circumstances of lord Hertford's family account for and justify their conduct. The same spirit of economy which animated the father to the sale of public employments in Ireland, revives in the son, and finds the best market for the ammunition of the Warwickshire militia.[2] Lord Hertford, general Conway, and lord Beauchamp are the very quintessence of courtesy and candour. Undecided in their opinions, disengaged from all attachments, they support no measures without leaving room for explanation, and can reconcile the coldest indifference about the interests of others, with the warmest anxiety for their own. It is unluckily the fate of these moderate, candid persons to be despised by all parties. In vain does the gentle Beauchamp give the Treasury bench the negative assistance of his oratory;—in vain does his honest father beg an audience for personal solicitation in the closet. General Howard and the secretary at war have still spirit to resist.[3] The promotion goes in the regiment, and the military achievements of the younger Conway are left for future consideration. Poor lord Hertford! what is this but a continuation of the duke of Grafton's tyranny? From one minister we see him regularly kicked down to another. His nephew treats him like a footman, and lord North, with still greater severity, yokes him with general Græme.[4]

My sincere compassion for lord Cornwallis arises not so much from his quality as from his time of life. A young man by a spirited conduct may atone for the deficiencies of his understanding. Where was the memory

[1] See editor's note to Letter XXIII.—EDIT.

[2] This youth goes by the name of Gunpowder Beauchamp through the whole county.

[3] Lord Hertford not long ago had the modesty to desire that his son, a youth of twenty years old, might be put over the heads of all general Howard's officers.

[4] Lord Hertford and this worthy Scotchman are spies in ordinary to the minister for the time being.

of this noble lord, or what kind of intellects must he possess, when he resigns his place, yet continues in the support of administration, and, to show his independence, makes a parade of attending lord North's levee, and pays a public homage to the deputy of lord Bute! Where is now his attachment, where are now his professions to lord Chatham;—his zeal for the Whig interest of England, and his detestation of lord Bute, the Bedfords, and the Tories? Since the time at which these were the only topics of his conversation, I presume he has shifted his company as well as his opinions. Will he tell the world to which of his uncles, or to what friend, to Philipson, or a Tory lord, he owes the advice which has directed his conduct? I will not press him further. The young man has taken a wise resolution at last, for he is retiring into a voluntary banishment, in hopes of recovering the ruin of his reputation.

These loose sketches are sufficient to mark to you the kind of character, which, with every quality that ought to make it odious, still continues pitiful, and is never important enough in mischief to excite indignation. I would not waste a thought in contriving the punishment or correction of such men; but it may be useful to the public to see by what sort of creatures the present administration is supported. It is unnecessary to enlarge the catalogue. Without name or description, they are distinguished by a certain consciousness of shame which accompanies their actions. After deserting one party, they dare not engage heartily with the other; and having renounced their first sentiments and connexions, are forced to proceed in the humble track of voting as they are ordered, without party, principle, or friends.

DOMITIAN.[1]

LETTER LXX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 10 *March*, 1770.

No man is more warmly attached to the best of princes than I am. I reverence his personal virtues, as much as I respect his understanding, and am happy to find myself under the government of a prince, whose temper and abilities do equal honour to his character. At the same time, I confess, I did not hear without astonishment of the answer which some evil-minded counsellors advised him to return to the sheriffs of the city of London.[2] For a king

[1] The letters under this signature are recognised by JUNIUS in his Private Letter, No. 56.—EDIT.

[2] The following are the particulars of the dispute which occurred in presenting the petition of March 6, 1770.

On Wednesday the 7th, the sheriffs attended at St James's, to know his Majesty's pleasure, when he would be waited on with the city address, remonstrance, and petition; they were detained till twenty minutes after two, when, the levee being over, they, with the remembrancer, were admitted into the closet, when Mr Sheriff Townshend addressed himself to his Majesty in the following words:

'May it please your Majesty,

'By order of the lord mayor, aldermen, and livery of the city of London, in common-hall assembled, we have taken the earliest opportunity, as was our duty, to wait upon your Majesty; but, being prevented from having immediate access to your Majesty by one of your household, who informed us, that it was your Majesty's pleasure to receive us this day after the levee, we wait on your Majesty, humbly to know when your Majesty will please to be attended with an humble address, remonstrance, and petition.'

To which his Majesty was pleased to return the following answer:

'As the case is entirely new, I will take time to consider of it, and transmit you an answer by one of my principal secretaries of state.'

On Thursday evening the sheriffs received the following letter from lord Weymouth:

'Gentlemen, *St James's, March* 8, 1770.

'The king commands me to inform you, in consequence of the message which you brought yesterday to St James's, that he is always ready to receive applications from any of his subjects; but as the present case of address, remonstrance, and petition, seems entirely new, I am commanded to enquire of you in what manner it is authenticated, and what the nature of the assembly was, in which this measure was adopted?—When you furnish me with answers to these questions, I shall signify to you his Majesty's further pleasure.

'I am, Gentlemen,

'Your most obedient

'*Sheriffs of London.*' 'humble servant,

'WEYMOUTH.'

of Great Britain to take time to consider, whether he will or will not receive a petition from his subjects, seems to me to amount to this, that he will take time to consider whether he will or will not adhere to the fourth article of the Declaration of Rights. One would think that this could never have been a question in the mind of so gracious a prince, if there were not some very dangerous advice given in the closet. I now hear that it has been signified to the sheriffs, that his Majesty cannot receive the petition, until he is informed of the nature of the assembly in which it was composed. A king indeed is not obliged to understand the political forms and constitution of every corporation in his dominions, but his ministers must be uncommonly ignorant who could not save him the embarrassment of asking such a question concerning the first body corporate perhaps in the world. The sheriffs, I presume, will hardly venture to satisfy so unusual an inquiry upon their own bare authority. They will naturally move the lord mayor to summon another common-hall, to answer for themselves; and then, I doubt not, the corporation of the city of London will fully explain, to those whom it may concern, *who they are, and what is the nature of their assembly.* After all, Sir, I do not apprehend that the propriety of the king's receiving a petition from any of his subjects depends in the least upon *their* quality or situation. He is bound by the Declaration and subsequent Bill of Rights to receive all petitions from his subjects. What notice or answer the contents of them may deserve, must be considered afterwards. To refuse the petition itself is against law. I am persuaded, however, that nothing can be further from the intention of our gracious sovereign, than to

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On the next day the sheriffs went to St James's, and after waiting some time, lord Bolingbroke came out, and enquired whether he was to tell his Majesty that they came with a fresh message, or with a message? The sheriffs answered, with a message. Soon after the two secretaries of state, lord Rochford and lord Weymouth, came to the sheriffs. Lord Weymouth asked them 'whether they had received his letter, which was written by his Majesty's order?'

Sheriffs. 'We have.'

Lord Weymouth. 'His Majesty desires to know whether you come in consequence of that letter; or whether you come on any fresh business?'

Sheriffs. 'We come in consequence of that letter.'

Lord Weymouth. 'Would it not be more proper to send an answer in writing through me?'

Sheriffs. 'We act ministerially. As sheriffs of London we have a right to an audience; and cannot communicate to any other person than the king, the subject of our message.'

Lord Weymouth. 'I do not dispute your right to an audience; but would it not be better and more accurate to give your message to me in writing?'

Sheriffs. 'We know the value and consequence of the citizens' right to apply immediately to the king, and not to a third person; and we do not mean that any of their rights and privileges shall be betrayed by our means.'

Lord Weymouth then said, 'His Majesty understanding that you come ministerially authorized with a message from the city of London, will see you as soon as the levee is over;' and being introduced accordingly, Mr Sheriff Townshend addressed his Majesty in these words:

'May it please your Majesty,

'When we had last the honour to appear before your Majesty, your Majesty was graciously pleased to promise an answer by one of your Majesty's principal secretaries of state; but we had yesterday questions proposed to us by lord Weymouth. In answer to which we beg leave humbly to inform your Majesty, that the application which we make to your Majesty, we make as sheriffs of the city of London, by the direction of the livery in common-hall legally assembled. The address, remonstrance, and petition, to be presented to your Majesty by their chief magistrate, is the act of the citizens of London in their greatest court; and is ordered by them to be properly authenticated as their act.'

To which his Majesty replied as follows:

'I will consider of the answer you have given me.'

Whereupon the sheriffs withdrew.

On the Monday following the sheriffs received the subjoined letter.

'*St James's*, 12 *March*, 1770.

'Gentlemen,

'The king has commanded me to signify to you his Majesty's pleasure that he will receive on Wednesday next, at two o'clock in the afternoon, the address, remonstrance, and petition, which you have informed his Majesty is to be presented by the chief magistrate of the city of London.

'I am, Gentlemen,

'Your most obedient

'*Sheriffs of London.*' 'humble Servant,

'Weymouth.'

The address, &c. was presented accordingly, and for a copy of it see editor's note to Letter XXXVII.—Edit.

offer a gross affront to the whole city of London. It is evident that the ministry either mean to gain time for carrying some poor counter-measure, by means of the wretched dependants of the court, or to intimidate the city magistrates, and deter them from doing their duty. I think it therefore absolutely necessary for us to rouse in defence of the honour of the city, and demonstrate to the ministry, by the spirit and vigour of our proceedings, that we are not, what *they* are pleased to represent us, the scum of the earth, and the vilest and basest of mankind.

MODERATUS.[1]

LETTER LXXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 26 *June*, 1770.

THAT we may be quietly governed is a very proper petition in the service of the Church of England. If the worst men should be put in authority under the king, they will think it politic to counteract the prayers of the people, and indifferently minister injustice, to the punishment of virtue, and the maintenance of vice. The duke of Grafton has devoted himself to these principles with all the fervour of an enthusiast, nor can we avoid lamenting that so inflexible a bigot should still have failed of martyrdom. His Grace has triumphed over the last moments of his power, nor permitted its extinction till he had dismissed the chancellor,[2] and procured a pension, inadequate, indeed, to former merits for the truly honest Mr Bradshaw.[3] The first occurrence has been sufficiently canvassed; the propriety with which his Grace has effected the second occurrence, cannot possibly be felt through all its force, till the deserving object of ministerial gratitude has spoken for himself.

Come forward, Mr Bradshaw, thou worthy, but much injured man, at once convince and undeceive the public. Tell them, that if a person should exist, who dares even to insinuate that the following relation is founded upon stubborn facts, he is a gross defamer of unbiassed honour, and would extend that rancorous abuse, which hitherto has preyed upon the fairest and most courtly characters, till it asperse your own.

Mrs Allenby entered into an engagement with Miss Bradshaw in behalf of Mr Allenby, her husband. It was stipulated that she should give into Miss Bradshaw's hands the sum of six hundred pounds, which was to have been the purchase-money of the place of surveyor of the pines in America. An application was soon afterwards made for the same place by captain P——,[4] who promised that on receiving it he would pay down the sum of eight hundred pounds. In consequence of this promise, the name of Mr Allenby, already inserted in the list of intended promotions, was erased, and the blank filled up with the name of captain P——, to which was added a written assertion that his appointment was owing to Mr Allenby's having chosen to decline going. When this affair was examined at the board of treasury, Mrs Allenby was asked where her husband was during this transaction. She answered, 'in Cumberland, assisting in the support of the Portland interest, when Mr Robinson and Mr Jenkinson were doing what mischief they could to oblige sir James Lowther.'

The latter part of Mrs Allenby's declaration occasioned some little entertainment. She was ignorant that the two intimate friends of the earl of Bute, whose characters she was then drawing, were actually present. Mr Bradshaw pleaded in excuse that his sister, a milliner near Moorfields, was solely concerned in this business.

[1] Letter XXXI., which, in the genuine edition, is signed *Philo Junius*, had, when it originally appeared in the Public Advertiser, the signature of *Moderatus* affixed to it.—EDIT.

[2] The dismissed chancellor was lord Camden. —EDIT.

[3] Mr Bradshaw, as often observed before, was the duke of Grafton's secretary.—EDIT.

[4] Who the person here alluded to is, cannot be ascertained.—EDIT.

When Mr Cooper mentioned to Mr Bradshaw an intention of lodging a complaint against him, he burst into tears.—They could not have been tears of penitence, or they imply preceding guilt.

When Mr Bradshaw shall have exculpated his conduct, which cannot be arraigned without injustice, he may, perhaps, become a conspicuous instance of the prevalence of example. The voice of injured innocence may sound within a neighbouring quarter; and, as the ostensible premier may be questioned on a similar occasion, his Lordship will have an opportunity to revive this long-forgotten truth. However contemptibly the world may judge of ministers of state, they are not conscious to themselves of any guilt.

Q IN THE CORNER.

LETTER LXXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *27 June*, 1770.

YOUR correspondent, *A Fellow-Labourer in the public Cause*,[1] has a claim to our attention, rather from the liberality and candour with which he has stated his ideas, than from the force of argument with which he has supported them. He seems to have forgotten that the national resentment has not been so much excited by the exclusion of Mr Wilkes as by the insertion of Mr Luttrell. He does not seem to be aware that the discussion of the great question can never be brought on in a new mode as long as Mr Wilkes is to be the ground-work of the debate: that the arguments for incapacitation of that gentleman were merely personal: that they respected the member returned, without any reference to the constituents: and, therefore, that the substitution of other constituents can effect no alteration in the case whilst the person returned continued the same.

Your correspondent would likewise have done well to have borne in mind that the livery of London have, by the most authentic act of the corporation, declared to the world, that the intrusion of Mr Luttrell has *vitiated* the present parliament.[2] With

[1] A letter under the above signature appeared on the preceding day, recommending Mr Wilkes to stand forward as a candidate for the city of London on the death of alderman Beckford.—EDIT.

[2] In such popular detestation was the conduct of the ministry and parliament held, with respect to their proceedings in the Middlesex election, that Mr Alderman Townshend went so far as to try the legality of the act of parliament for raising the land-tax, the alderman having refused to pay it on the pretence that the intrusion of Mr Luttrell had vitiated the parliament, and negatived its power.

The trial took place June 9, 1772, and the following account of it is extracted from the Public Advertiser of the ensuing day.

Yesterday came on in the Court of King's Bench the long-expected cause between Mr Alderman Townshend and the collector of the land-tax. Lord Mansfield had appointed the trial for nine o'clock precisely; but he delayed it till near eleven, waiting for the attorney-general, who did not attend. The cause was opened by Mr Davenport; after which Mr Serjeant Glynn addressed the jury, and informed them that in common cases it was the custom to content themselves with proving the trespass, and then leave the justification of it to the defendant; but he said the present case required a further discussion from him; that it was an important constitutional point upon which the valuable rights of the whole nation depended. He said, he was directed by his client, Mr Townshend, to conduct the cause as its importance demanded: that therefore he should wave all the informalities in the collector's proceedings: he would admit him likewise to be collector, and that he was authorized by the commissioners: that the single ground of his pleading would be that the commissioners themselves were not authorized: for that a House of Commons legally chosen by the people are alone empowered to levy taxes in this country; and he said, he insisted and would prove by evidence that the persons who passed the act of parliament (under which the collector had seized Mr Townshend's hay) were improperly called a House of Commons, because they were illegally and defectively constituted. He said that to the making of all laws and the levying of all taxes, it was formerly necessary that every freeholder should assent individually; and especially before a tax was to be levied the constituents formerly were first referred to, because they were to consent to what they were to pay. Custom and usage (he said) had now made it common for the representatives in parliament to speak for the people, and this was considered the same as the consent of the people, because they were freely chosen by the people for that purpose; and after every election a formal letter of attorney (the indenture) is always given

what consistency then can the same body of men subscribe to the integrity of the same parliament upon any other terms than the previous extermination of the contaminating object? The introduction of Mr Wilkes into the House is in itself a circumstance of little importance. If parliament and the county of Middlesex had gone on in an eternal circulation of expulsions and returns, the essence of that assembly would not have been affected. The indispensable point is, that the corrupt member should be lopped off; a point that will hardly be compassed by an event of such indifference to the public as the mere seating Mr Wilkes in the House of Commons a representative of the city of London.

Upon the plan of your correspondent, the prosecutors, indeed, will be changed, but the cause will still be the same. It is in the power of administration alone to vary and extend the cause, by arbitrarily incapacitating *another member* legally elected; a measure which they do in truth 'tremble at the thoughts of.'

In conclusion: the restoration of parliament must begin in the person of Mr Luttrell; nor can the injury to the people of England be heightened in the person of Mr Wilkes. Every county, every borough, is already as essentially affected as the county of Middlesex. It is an eternal truth in the political as well as the mystical body, that 'where one member suffers, all the members suffer with it.'

I am,

A LABOURER IN THE SAME CAUSE.

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by the electors to the person they have chosen. He said, that this implied consent of the people by their representatives depended entirely on their having the free choice of their representatives: for that if their freedom of choice was invaded, the reference and implication were destroyed, and the people would no longer have any the least consent in the making of laws or levying of taxes; but that their lives and their property would be absolutely at the mercy of any set of men who should call themselves a parliament, corrupted by the revenue, and supported by the troops of a weak or a wicked tyrant. He said, that this, as far at least as it related to representation, was the case with the present persons who call themselves a House; for which, he said, as they were not chosen, so neither are they acknowledged, by the people: the county of Middlesex, he said, was not represented: that one of the members legally chosen by the county had been forcibly and illegally excluded; and another person as illegally and forcibly substituted in his room. Mr Glynn then gave a very striking account of the absurdity and impudence of Mr Luttrell's pretensions, and of the infamy of our ——, and his abettors and accomplices. He said, the present pretended House of Commons had superseded the election of the county by an unwarrantable resolution of their own; and had, by so doing, seized into their own hands and for their own use and emolument, the birth-right of all the people of England. He proved in the clearest manner that the pretence of Mr Wilkes's incapacity does not exist in the law: and that the people's right of representation is less than a name if the House of Commons has an indefinite power of expulsion. Mr Glynn said he would produce unquestionable evidence to the points on which he had rested the merits of his cause; notwithstanding that he thought it unnecessary, because the facts were so notorious and so well known to the jury themselves, that they could of their own knowledge, agreeably to the laws of the land, give a verdict for the plaintiff even without any evidence.

As soon as Mr Glynn had finished his speech and was directing the evidence to be called, Mr Wallace (the king's counsellor) produced a printed paper, which he said was the act of parliament by which the collector levied the tax. As for the objection that had been made by Mr Glynn relative to the seat of one of the members, or of the legality of the parliament, he said the courts of Westminster-hall had no power to determine.

Lord Mansfield then rose and said, that he perceived Mr Glynn wanted that court to retry the judgment of the House of Commons touching the case of the Middlesex election: That is, said his Lordship, he wants to prove that the legislature is dissolved; and that all the acts of parliament made since the year 1769 are void. The evidence which Mr Glynn wants to produce is not by law admissible, and I will not suffer it to be given.—'Gentlemen of the jury, you will find for the defendant.'—The clerk then hurried over the form, and said,—'Gentlemen of the jury, hearken to your verdict, &c., you find for the defendant, and so you say all.'—Whereupon one of the jury, Mr Long, said that he did not consent to that verdict. This dissent caused some embarrassment to lord Mansfield, which he soon got over by saying, 'Gentlemen, you are sworn to give a verdict according to the evidence; now *no evidence has been produced* to you against the defendant; therefore you must find for him. You cannot try facts by *notoriety*, that is not law, you must go by evidence, and you have heard no evidence, you must find for the defendant.'

The jury accordingly acquitted the defendant. —EDIT.

LETTER LXXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

Southampton-street, Bloomsbury,

SIR, 27 *June*, 1770.

HAVING, to my great surprise, seen in a letter published in your paper of yesterday, signed *Q in the Corner*, the following paragraph :

'When Mr Cooper mentioned to Mr Bradshaw an intention of lodging a complaint against him, he burst into tears.'

I think myself bound in honour and in justice to declare, that the whole of this assertion is false and groundless : I never mentioned to Mr Bradshaw any intention of lodging a complaint against him ; I never heard of any such intention ; and I do not know of any circumstance whatsoever that can justify the least imputation on Mr Bradshaw of the nature intended to be conveyed by the said letter.

I am, Sir,
Your humble servant,
GREY COOPER.

LETTER LXXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 30 *June*, 1770.

I RECEIVED the circumstance of Mr Bradshaw's having burst into tears from an authority which I thought at least equal to Mr Cooper's, and therefore I believed and asserted it. I now perceive that I was mistaken, do willingly give up so *capital* a point in Mr Bradshaw's case, and join with his honourable friend in declaring, that he has not wept at all about the matter.

I have a high opinion of Mr Cooper's integrity, but a much higher of Mr Bradshaw's. I find the fair image of truth in the first, in the last I expect to meet an oracle. Why will not Mr Bradshaw be so obliging as to step forward, and declare upon *his honour*, that *he* 'does not know of any circumstance whatsoever, that can justify the least imputation on him of the nature which seems to Mr Cooper to have been conveyed by a letter in this paper.'

I allow Mr Cooper's evidence as far as it relates to the falling of some few tears to be entirely decisive ; but I am not so courtly as to infer from Mr Cooper's absolute ignorance of the subject an equal one in Mr Bradshaw. It is from Mr Bradshaw, who must know something more of the matter than Mr Cooper, that I expect to be told, that no board was ever held at which this particular subject was introduced, and that Mrs Allenby was not at that time present.

May I presume humbly to enquire of Mr Bradshaw if Mr Dyson did not at that time examine Mrs Allenby ; if he did not attempt to browbeat her ; and if a noble Lord had not the humanity to interfere ?

After all, it may be worth remarking, that Mr Cooper's testimony seems to relate only to *his own intentions* with respect to lodging a complaint, and *his own ideas* of the imputations that should arise from transactions of this nature.

I am, Sir,
Your humble servant,
Q IN THE CORNER.

LETTER LXXV.

For the Public Advertiser.

7 *July*, 1770.

TO THOMAS BRADSHAW, ESQ.

YOUR honourable colleague, Mr Cooper, bore witness to your innocence. So full a vindication was superfluous. I dare answer for it, that the opinion which the public had conceived of your integrity is still unaltered ; it could not have been lessened although your champion never had appeared ; nor has his entrance within the lists at all increased it. I took the liberty to appeal from his decision to your own : you seem determined to be silent. Perhaps the rigour of your situation deprives you of

any choice between the sacrifice of truth and of yourself. You nobly hesitate to make the first, and tacitly confess, that in one heedless moment throughout a life of unpolluted honesty you may have been to blame. Perhaps you do not think it quite ineligible to let this matter die away. Consult the feelings of your heart, and they will tell you that the public forms of justice can avail but little. They will not either yield a shelter to yourself, or enable you to direct the storm against another. I have not written from conjecture, nor can you be ignorant that I have drawn my intelligence from its first source, and not the common falsities of the day. There is a place which once was called the House of Prayer; I leave it to men more versed in Scripture phrases than myself to tell you what it is at present. Should you hereafter think it proper to discuss this subject there, you possibly may find an individual in that virtuous congregation who will assist the hitherto ineffectual inquiries of

Q IN THE CORNER.

LETTER LXXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *7 July*, 1770.

I FIND myself engaged at once with two antagonists of very different complexions. I must content myself, however, with opposing the same obvious reasoning of a plain man, to the cool circumspect address of *The Fellow-labourer in the public Cause*, and to the rapid, eager precipitation of his supporter. The latter of these gentlemen, with a temperance that does not seem to belong to him, is peremptorily of opinion, 'that when a particular injustice is founded on, and supported by, a general principle, the appeal should no longer be made to the passions, but to the wisdom of the people.' The reverse is, I believe, invariably true. Prudence may incline us to forget the injury of a moment, the impulse of passion, or the suggestion of caprice. Let the same injury be offered to us with all the insolence of authority, or even let the authority be pretended to without any actual exertion, and wisdom herself shall call forth every passion to resist it.

A simple tax of a few shillings, illegally extorted, was sufficient to enlighten the understandings of the whole nation. Everybody perceived that one such instance, supporting itself on a general claim, was equivalent to, and (like an universal proposition) comprehended a thousand. It did not require the sagacity of a Hampden to deduce the consequences; but it called for all his spirit to oppose them.

I am ready to acknowledge, that 'in rigorous consistency the city of London ought not to return any representative' to St Stephen's Chapel; I am more ready to dispense with 'the attendance of some of the present city members.' But I am still willing to admit the necessity of their departing a little from that rigour—*because* I see no medium between such a temporary accommodation, and either the miseries of civil bloodshed, or (what is infinitely more to be deprecated) the established tranquillity of servitude.

The right of resistance on the part of the people, is the ultimate sanction of our civil liberties. But God forbid that we should be too critically exact in defining the precise boundary where the exertion of that right becomes a duty. The distresses of an intestine war are known, and inevitable; the event precarious. It may be better to submit, for a time, to what even is an irregularity in the most essential part of the state, than instantly to seek redress by violence. Every other conceivable method ought first to be eagerly adopted, and earnestly pursued. Something may be expected from time, from importunity, from fear; perhaps something even from conscience and remorse. And if, at length, without coming to extremities, the integrity of the legislature should be restored, the tyrannical decisions of an unauthorized

assembly will of course be abrogated; their useful acts may receive a ratification from a legitimate parliament.

You perceive, Sir, that I am not here maintaining the doctrine asserted in the city remonstrance, but arguing from it. Yet I must beg leave to observe, that the distinction introduced by this correspondent, between a speculative and a practical parliament, a parliament *de jure* and *de facto*, is equally novel and monstrous. On this account I cannot but be of opinion that the city should adhere to their constitutional speculation, and insist that Mr Wilkes is actual representative of Middlesex; although they may without blame, perhaps, acquiesce, for a time, in the proceedings of an assembly, to which they cannot even allow the rank of a convention.

For the sake of peace they may be justified in returning Mr Oliver. For the sake not merely of consistency, but of the safety and dignity of the state, Mr Wilkes must not be allowed to quit 'the sure ground on which he stands,' to borrow an expression of his own in an address to his constituents.

But, it seems, 'if Mr Wilkes were returned by the city, and admitted to take his seat, the unconstitutional principle would be *ipso facto* overturned.' Let us see, then, how the argument will stand. If the admission of Mr Wilkes would *ipso facto* overturn the unconstitutional principle, undoubtedly the continuation of Mr Luttrell must *ipso facto* perpetuate it.—What is this but to make the House of Commons such an absurd monster in politics, as has never yet disgraced the reason or the patience of mankind: a legislative body subsisting by two principles (each in its full force and energy) equal, contrary, and mutually destructive.

The *Fellow-labourer* of this day has, indeed, candidly admitted, that the extermination of Mr Luttrell is the *indispensable point*, if your other correspondent, who absolutely denies the position, will indulge me in the phrase. Mr Luttrell holds his seat by a very different title from a common determination in the case of a contested return. In the latter instance, the jurisdiction of the House is competent; nor has the constitution hitherto provided an appeal from their decision. In the case before us, a new and unheard of power is supposed to be usurped, and rights beyond the reach of the whole legislature, I mean the fundamental rights of the people, invaded by a third part of it. By this invasion Mr Luttrell was seated; upon this principle the return was amended by the House, and his name inserted; and it is in consequence of that alteration that he still ranks as a member of parliament. As long, therefore, as he shall be permitted to sit there, so long will the principle be in force. For in the House of Commons, as in every other court, prove the jurisdiction to be incompetent to the case, and the adjudication falls to the ground.

It appears to me that both your correspondents have contemplated this subject in too confined a view. For my own part, I think too highly of Mr Wilkes's services to the state, and of the sacredness of our common cause, to wish either one or the other to be made a mere engine of party, or a scarecrow of opposition. But since the gentlemen from whom I dissent have delivered their sentiments concerning the effect which the proposed measure would probably produce in the House of Commons and in ministry, I too, in my turn, will venture to pronounce, that nothing is so ardently desired by either, as *a separation between the county of Middlesex and Mr Wilkes.*

I am, Sir,
Your humble servant,
A LABOURER IN THE SAME CAUSE.

LETTER LXXVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *November*, 1770.

A FEW days ago I was in a large public company, where there happened

some curious conversation. The secretary at war[1] was pleased to express himself with unusual simplicity and candour. He assured us that, after having carefully considered the subject, he did not know a single general officer (out of near a hundred now in the service) who was in any shape qualified to command the army; and for fear we should not believe him, repeated and inforced his assertion five several times. You will allow, Sir, that, at the eve of a foreign war, this is pretty comfortable intelligence for the nation, especially as it comes from authority. He gave us some consolation, however, by assuring us that he and general Hervey would take excellent care of the army, and compared himself (not unhappily) to an old woman curing an ague with the assistance of doctor Radcliff.—I don't so much question Mr Hervey's being able to give good advice, as that other little man's being either willing or able to follow it; but I should be glad to know which of them is to be responsible to the country for the management of the army, or whether they are invested with equal powers? Is lord Barrington the marksman and general Hervey only the stalking-horse? Or does the latter command, and that other only do as he is bid? This point, I think, ought to be explained; for if we don't know who commands the army, and any mischief should happen, the secretary at war and adjutant-general will of course lay the blame upon each other, and the nation never know which of them ought to be punished.

TESTIS.

LETTER LXXVIII.[2]

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 24 *November*, 1770.

I HAVE never joined in the severe censures which have lately been thrown upon lord Barrington. The formal declaration he was pleased to make (for the information of the House of Commons and of this country), with respect to the shameful ignorance and incapacity of all the general officers, without exception, may, for aught I know, be extremely well founded; and if it were not so, I do not consider the viscount as a free agent. He undoubtedly meant no more than, as a dutiful servant, to obey the orders, and to express the sentiments, of his royal master. The secretary at war, it is true, has a multitude of enemies, but the bitterest of them will not affirm that he is positively an idiot, without a single ray of understanding. That would be going a *little* too far. Yet he must certainly be the very weakest of the human species, if without any plan or purpose whatsoever, he loaded himself with the hatred and resentment of so large and powerful a body of men as the general officers. This, I think, is too absurd to be supposed. Yet I do not pretend to deny the fact. On the contrary, I mean to account for it upon clear and rational principles.—If it be the king's intention (as we have sufficient reason to think it is) to govern the army himself (by which means the disposal of commissions, like every thing else, will ultimately centre in Carlton House), the first step is to possess the public with an opinion, that this measure is not of choice but necessity. When the secretary at war has informed the House of Commons, in the name of his gracious master (for it is not to be suspected that he spoke for himself), that all his general officers were no better than drivellers, it follows of course that the secretary at war, with the adjutant-general's advice, must be the ostensible manager of the army; and then you see, Sir, every thing goes on as her Royal Highness the princess dowager of Wales would have it.

Far be it from me to impeach his Majesty's judgment in military matters. Our gracious sovereign cannot possibly have a

[1] Lord Viscount Barrington.

[2] On the outside of Note No. 25, which accompanied this letter, was written, by the author, 'the enclosed strikes deeper than you may imagine. C.'—EDIT.

meaner opinion of his general officers than I have. Yet I own there is one circumstance that a little surprises me. These poor creatures, it is agreed on all hands, have neither capacity nor experience; but one would think that, as soldiers and gentlemen, they might show a little spirit when they are insulted. What,——will they go to court again, to bow and cringe —— and fawn upon * * * * * who orders his official servant to point them out to their country, as a knot of idiots—asses—mules—beasts of burthen!

This affair, Sir (as many other circumstances do, and more important ones may do hereafter), puts me in mind of the sincere, honest, candid character of that pious prince, Charles the First. When a great number of the first people of this country had hazarded their lives and spent their fortunes in his defence, and when, in the last instance, they had formed a convention at Oxford, which, if not a parliament, was at least a meeting highly respectable, what return did they receive from that devout, religious, grateful monarch? He flattered them to their faces, and the next moment wrote to his wife that they were a base, mutinous set of mongrels, whom he was happy to get rid of.

TESTICULUS.

LETTER LXXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 8 *Dec.* 1770.

A REPORT prevails that the late premier is very soon to be placed at the head of the Admiralty.—I thought JUNIUS had fairly hissed him off the stage. But since he adventures again to appear before the public, let me do justice to his modesty, and commend him for his discretion, in sinking to an inferior character. I should be sorry to interrupt so natural a descent. By dropping gradually from part to part, he may in time arrive at something that will suit his capacity. Besides the moral fitness of reducing all men to their proper level, there will be a novelty in the public entertainment, when we see the same wretched stroller, who strutted yesterday in Othello, creeping upon the stage to-day in the shape of a candle-snuffer.

In the article of firmness, I think this young man's character is universally given up; but I observe there is still an opinion maintained by some people, that, in point of ability, he is not deficient. For my own part, Sir, I never could discover upon what foundation that opinion rested. Let it be fairly tried by the two great, decisive tests of the human understanding—*conduct* and *discourse*. These, I know, are sometimes at variance with each other. An ingenious man may act very absurdly, and we frequently see a dull fellow conduct himself with firmness and propriety. It is the duke's misfortune that he fails equally in both articles;—that he neither acts with judgment, nor speaks with ability. Look at his conduct from the outset;—I mean with a reference not to the treachery, but to the folly of the man. His earliest personal attachment in life was to the duke of Portland; that friendship he has foolishly dissolved, without succeeding in his purpose, to oblige sir James Lowther.—His first public connexion was with lord Rockingham. That too is lost, together with the friendship of lord Chatham, for which he sacrificed the marquis. For the solidity of his union with lord Chatham he pledged himself to the public by some very uncommon declarations both abroad and in parliament. Yet from this union and his subsequent friendship, with lord Granby and lord Camden, the cajolery of the closet soon seduced him. His easy virtue is not made for resistance.—To support his last plan, we have seen him renounce not only all these successive connexions, but every political idea, opinion, and principle of his former life, and throw himself, body and soul, into the arms of the Bedfords. Here at least he might have stopped, since there was not another party in the kingdom to which it was possible for him to transfer his

affections. He had gone resolutely through the whole drudgery of the Middlesex election. He had paid governor Burgoyne's expenses very handsomely by the sale of that patent to Mr Hine, which the right honourable the House of Commons have not yet thought proper to inquire into. He had shown fortitude enough to drop the prosecution of Mr Vaughan, though urged, insulted, braved to it by every *stimulus* that could touch the feelings of a man; and, in conclusion, he had made himself *accessory* to the untimely death of Mr Yorke.—I say *accessory*, because he was certainly not the principal actor in that most atrocious business. After all, Sir, when it was impossible for him to add to his guiltiness, a panic seizes him, he begins to measure his expectations by the sense of his deserts, a visionary gibbet appears before his eyes, he flies from his post, surrenders to another the reward due to his honourable services, and leaves his king and country to extricate themselves, if they can, from the distress and confusion in which he had involved them.

The danger, as he conceives, being now pretty well over, what plan do you think this worthy, resolute young man pursues at present? While he was first lord of the Treasury, it is well known (and I speak from knowledge when I assert) that he never treated lord North even with the common civility due to his clerk. I appeal to lord North himself, and to every clerk in the Treasury (particularly to Grey Cooper), whether it was not known to be a difficult matter for the chancellor of the Exchequer to obtain an audience even of Mr Thomas Bradshaw. Would you believe it possible, Sir, that, after these facts, this very duke of Grafton can be so degraded, so lost to every sensation of pride, of dignity, and decorum, as to be a suppliant beggar for employment to this very lord North? Yet so it is; and, if I were to tell you with what circumstances of humiliation he accompanies his suit to the minister, the narrative would be nauseous and fulsome. He is so very impatient to be first lord of the Admiralty, that lord North can hardly keep the fawning creature from under his feet.—Now, Sir, let any man living, I care not whether friend or foe, review this summary of his life, and tell us in what instance he has discovered a single ray of wisdom, solidity, or judgment?

As to the other test of his abilities, I mean his talent for talking in public, I can speak with greater precision, for I have often had the honour of hearing him. With a very solemn and plausible delivery, he has a set of thoughts, or rather of words resembling thoughts, which may be applied indifferently, and with equal success, to all possible subjects. There is this singular advantage in his Grace's method of discourse, that, if it were once admitted that he spoke well upon any one given topic, it would inevitably follow that he was qualified to deliver himself happily upon every subject whatsoever. He would be *ipso facto* an universal orator. Accept of the following specimen of his Grace's eloquence, and, I promise you, you will be as well able to judge of his oratorial powers, as if you had heard him a thousand times.

'My Lords,

'When I came into the House this day, I protest I did not think it possible,—indeed I had formed in my own breast a resolution to the contrary—but, my Lords, I really thought it impossible that I should be compelled to trouble your Lordships with *my* poor thoughts upon the question before your Lordships.—I never do presume to trouble your Lordships at any time without always feeling a pain,—an internal regret,—a degree of uneasiness, which I can with truth assure your Lordships (and I flatter myself that I shall find credit with every noble lord, who hears me), it is not easy for me to have the honour of describing to your Lordships. My Lords, I am called upon, as I humbly conceive, and I appeal boldly not only to the candour of noble lords, but to your Lordships' severest judgment, whether I am not compelled to declare my sentiments, as explicitly as I now do, upon the motion upon your Lord-

ships' table. Upon this ground, my Lords, I meet the noble Lord without fear, though I respect his superior abilities, and I pledge *my*self to your Lordships for the truth of what I assert. Otherwise, my Lords, if facts were not as I have stated them, where will your Lordships draw the line? My Lords, I am really *as*tonished,—yet indeed, my Lords, I ought not to be *as*tonished. The question has been handled with so much ability by other noble lords that I shall content *my*self with this simple, unadorned declaration of my opinion. Yet I could quote cases, my Lords, which I accidentally met with this morning in the course of my reading, which, I doubt not, would convince your Lordships, if conviction were in question. But I fear I have troubled your Lordships too long. I shall therefore return to the leading proposition, which I had the honour of setting out with, and move for an immediate adjournment.'

This style, I apprehend, Sir, is what the learned Scriblerus calls *rigmarole* in logic,—*riddlemeree* among schoolboys,—and in vulgar acceptation, *Three blue beans in a blue bladder*. It is the perpetual parturience of a mountain, and the never-failing delivery of a mouse.

I am, Sir,
Your humble servant,
DOMITIAN.

LETTER LXXX.

For the Public Advertiser.

13 *Dec.* 1770.

CHAPTER OF FACTS, OR MATERIALS FOR HISTORY.

1. THE House of Lords, justly offended at the accuracy and precision, with which a certain noble duke's oration [1] has been delivered to the public, and concluding that the very words must have been taken down in writing by some foreign enemy, have determined to preserve the honour of their members, and the credit of their eloquence, by ordering *all* strangers to be carefully excluded.

2. But not to give offence, the exclusion is made general; their Lordships very properly considering that the members of the House of Commons are no more fit to be trusted with the debates of a public assembly, than the spies or emissaries of a foreign ambassador, or so many Jesuits in disguise.

3. The right honourable the Speaker of the House of Lords was pleased to summon all the Lords to attend on Monday last, on purpose to inform their Lordships collectively in what corner of the House each Lord separately might find waste paper for his necessary occasions. N. B. It seems to be the fate of this unhappy paper (which always brings nasty ideas with it) to be produced in a most unseemly manner. In the Court of King's Bench, the introduction of it was allowed to be *irregular*, *unprecedented*, and EXTRAJUDICIAL.—In the House of Lords, it was only silly and ridiculous.—What a strange antipathy some men have to a record! When they dare not *erase*, they fairly take post and *travel out of it*.

4. The bill for regulating contested elections was strenuously opposed by lord North and the rest of the king's servants. Yet every one of the judges who went the circuit last summer, instead of instructing the several grand juries in the old, legal, constitutional way, were ordered to sound the praises of the House of Commons for their singular virtue in passing this and the privilege bill. And now let it be observed, that in the first instance of the operation of this new law (the Shoreham election) not one of the ministers attended. Yet intrusted as they are with the executive power of the state, it is *their* particular duty to attend, to facilitate, and inforce the execution of the laws;—and these are the people who deafen us with their complaints of the licentiousness of the times, and the total want of respect into which the laws are fallen.

[1] See the preceding letter.—EDIT.

5. So far from performing this duty, it is a fact notorious that one Purling, a *Caribbee*, has been encouraged by ministry to introduce a third candidate at Shoreham, and to give him *four* of his own votes, in order that by having *two* petitions preferred (a case not expressly provided for by the act) this wise, this salutary law may be defeated in the first instance, and have a contempt thrown upon it.

6. Let it be known to posterity that when lord Mansfield was attacked with so much vehemence in the House of Commons on Thursday the 6th instant, not one of the ministry said a word in his defence. Nobody spoke for him but the Carlton-house junto—Jenkinson and sir Gilbert. (N. B. *Mungo is sick.*) Even Mr George Onslow, who in general is not very scrupulous, confined himself to the defence of Mr Baron Smythe, and did not utter a syllable in favour of poor Mansfield. These facts show plainly, 1. How the Carlton-house connexion hangs together. 2. That lord North himself is not over and above pleased with the closet influence of the CHIEF JUGGLER.

The great lord Camden did yesterday (11th of December, 1770) address himself directly to lord Mansfield, and declare that he considered the paper delivered in by that lord as a challenge to himself, which he accepted; that the glove was thrown down, and HE took it up.—That he was ready to meet him in defence of the laws of this country, and vehemently urged that a day might be fixed for debating the matter. But notwithstanding every possible instance made by the minority Lords, the Chief Justice shrunk from the combat, and would not fix any day.

LETTER LXXXI.

For the Public Advertiser.

14 *Dec.* 1770.

SECOND CHAPTER OF FACTS, OR MATERIALS FOR HISTORY.

1. THE earl of Chatham having asserted, on Tuesday last, in the House of Lords, that Gibraltar was open to an attack from the sea, and that, if the enemy were masters of the bay, the place could not make any long resistance, he was answered in the following words by that great statesman the earl of Sandwich: 'Supposing the noble Lord's argument to be well founded, and *supposing Gibraltar to be now unluckily taken*, still, according to the noble Lord's own doctrine, it would be no great matter. For although we are not masters of the sea at present, we probably shall be so sometime or other, and then, my Lords, there will be no difficulty in retaking Gibraltar.' N. B. This earl is a privy counsellor, and appeared to have concerted this satisfactory answer with Peg Trentham at the fire-side.

2. Sir Edward Hawke, on Wednesday last, gave the House of Commons a very pompous account of the fleet. Being asked why, if our navy was so numerous and ready for service, a squadron was not sent to Gibraltar and the West Indies? his answer was candid:—'That for his part he did not understand sending ships abroad, when, for aught he knew, they might be wanted to defend our own coast.'—Such is the care taken of our possessions abroad!—One great minister tells us they may be easily retaken;—another assures us that they cannot be defended. Will that man who sleepeth never awake, until destruction comes upon him!. Has he no friend, no servant, to draw his curtain, until Troy is actually in flames!

3. Lord North informed the House of Commons on Wednesday that, although he wished for an honourable accommodation, he thought it his duty to tell the House, that he feared *war was too probable:* that he intended to move for a further augmentation of ten thousand seamen, and that, at any rate, he should advise the keeping up the naval and military force upon the augmented establishment, for that, notwithstanding the language held by the French and Spanish ministers, there was, all over France and Spain, the

greatest appearance of hostile preparations.

4. The riot in the House of Lords has shocked the delicacy of sir Fletcher Norton. Upon occasion of some clamour yesterday, he called to them with all the softness of a bassoon: *Pray, gentlemen, be orderly; you are almost as bad as the other House.*

5. On Tuesday last, lord Camden delivered into the House of Lords a paper containing three questions, relative to the doctrine laid down in lord Mansfield's paper, which he desired that Lord would answer, if he could. Lord Mansfield was very angry at being taken by surprise upon a subject he had never had an opportunity of considering, and that he valued the constitutional liberty of the subject too much to *answer interrogatories.*

LETTER LXXXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *17 December*, 1770.

As far as assertion goes, no man argues better than your correspondent *Nerva*.[1] If we are contented to take his

[1] *Nerva* was a writer in favour of lord Mansfield upon the subject of his conduct in the cause of the king against Woodfall for printing JUNIUS's letter to his Majesty; as well as for his posterior proceedings in the House of Peers upon the matter of this cause; in the course of which he thought proper, as has been observed already, to summons the House specially, in order to afford him an opportunity of fully explaining himself upon this point: an opportunity, however, of which he was even at last afraid to avail himself. See p. 118, note.

The letter of *Nerva*, above alluded to, was addressed to lord Chatham, and appeared in the Public Advertiser, Dec. 14, 1770. The following is a copy.

For the Public Advertiser.

TO THE RIGHT HON. LORD CHATHAM.

MY LORD, *14 December*, 1770.

I SAW on Monday, in a certain great assembly, the most striking contrast of character that ever was exhibited on any public occasion. On the one hand, decency, propriety, dignity, wisdom, and temper; on the other, presumption, insolence, absurdity, meanness, folly, ignorance, and rancour. Your Lordship sat for one of the pictures, and I am sorry to say, it was not for the best. To speak without metaphor, what demon, save the demon of malice, could inspire you with an objection to the fair, the equitable information which lord Mansfield offered to the House? The proposal itself, the terms in which it was conceived, would have conciliated a barbarian; but your animosity is worse than a barbarian's, and betrays the principle from which it springs! In an unprecedented, extrajudicial, captious, and insidious manner, you had taken occasion to censure that great man's opinions in the court of justice where he presides. Though you endeavoured to take him by surprise, that you might catch at some unfair advantage from his answer, you were baffled and disappointed. He answered you with the noble simplicity of innocence, and the wisdom that never forsakes the *mens conscia recti*. He fairly stated his opinions, and the principles on which they were grounded, and, without recrimination, he threw down his glove to you, and to all, daring you to convict him of an error, upon fair and legal argument.

He did more; to prevent that misrepresentation and misconstruction which might arise from words spoken, he delivered to the House the opinion given by him in court in the case alluded to in writing; candidly and formally declaring, that he meant to ground no motion upon it, but merely for the information of every member, that those who had not steeled their minds against conviction, might be convinced how falsely the censure had been made, and that your Lordship and your party might have a more open ground of objection to the doctrine which the writing contained.

When I give this account of lord Mansfield's reasons for submitting this paper to the House, I do wrong to the moderation of his expressions; but I speak to a man whose conscience tells him, that the distinction between him and those who are open to conviction, is but too well founded. Be that as it may, one would have thought you could wish for nothing more, than that a person whose doctrines you arraigned should give them under his hand, and dare you to the trial of their truth. Instead of closing with the proposal, you rose up and objected to the delivery of the paper as informal; but it is no new thing with you, after you have made a malicious and groundless attack, when you see it likely to produce consequences, to shrink back, and shelter yourself under some pitiful evasion; catching at form, or any other twig, to save you from the effects of your own folly and ill-nature.

But if you had made an end here, your audience had gone away, convinced only, that you were happy to get out of the scrape into which you had brought yourself by your unprecedented and unjust attack on lord Mansfield. But as if you were determined that every man who hears you should bear witness to your rambling inconsistency and ignorance, you did not make an end here. After having affirmed that the paper

word for proof, lord Chatham is a hare-brained, desperate old fellow, and lord Mansfield the very quintessence of integrity, wisdom, moderation, and firmness. I wonder he did not assure us on the same foundation, that this worthy judge never drank the Pretender's health upon his knees; or that his brother was not secretary to that most catholic Prince; or that Peg Trentham's father had not his left foot in the stirrup in the year 1715, to go off to what he thought the best side of the question: all this too I suppose we shall be told is mere fiction, mere inference of law, and the suggestion of the devil; but setting aside ornament, let us look a little to matters of fact.

For what reason lord Mansfield laid his paper upon the table, he best knows. He gave none to the House of Lords, except that he thought calling them together was the most compendious way of informing them where each Lord might, if he pleased, procure a copy of his charge to the jury in Woodfall's cause. This was the whole, for he made no motion whatsoever, nor did he pretend to say that, in their corporate capacity as a House of Peers, they could take the least notice of the paper. Now, Sir, it remains with lord Mansfield to give us an example, if he can, of any respectable Peer having ever moved for a call of the House for so trifling, so nugatory, so ridiculous a purpose. I think it strongly deserves these

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could not be received, after declaring you knew not what was censured in the proceedings of the courts of justice, nor against whom in particular that censure was directed, after having declared also your ignorance of what the paper contained, you entered into a discussion of its contents. You said the paper contained an extrajudicial and unprecedented opinion, and that the judgment was not warranted by the record, and the two motions on which the judgment was to operate. All this you asserted in terms unbecoming the place in which you stood, unbecoming the person to which they were addressed, and highly improper to be used by one who spoke about what he did not understand. All the world knows that you are ignorant of every science. This country severely smarts, and will long severely smart, for your ignorance in politics and finance. Your ignorance of the law may not perhaps produce such fatal consequences, but it was such on the occasion I speak of, that your dependant, the man who has sold himself to you soul and body, who trembles at his tyrant's frown, durst not say a word in defence of your position, nor even by a distinction endeavour to shade the glare of your absurdity.

I know you are not ashamed of the grossest ignorance and absurdity; but I would ask you one question. When the great man, whom you had treated so injuriously, rose up to explain, and with the most amiable moderation, and intuitive perspicuity, pointed out your mistake, and rectified your blunder, had you no feelings of remorse for your injustice towards him? Did you not *see how lovely virtue was, and mourn your loss?* Did not the demon of faction and malice retire dejected from your heart, and leave you in the momentary possession at least of better angels? If not, you are unhappy indeed! But I err. Perhaps your familiar whispered to you, that your opponent's temper was an argument of his contempt; and to sting you to madness, suggested that your brutal violence was unable to ruffle the steady tenor of his soul. I own this were a galling reflection to a man of your pride; but pride, like yours, must suffer every indignity.

If this was his motive for calmness and moderation, it was taking indeed vengeance, but a heroic vengeance. Were it your fortune to catch him at a fair advantage (an event which can never happen), how differently would you use it! With what vehemence would you not press it home! How would you exaggerate a molehill to a mountain, and call heaven and earth to witness, that the nation was ruined, and our liberties at an end! But all men are not born to be heroes, nor all men candid, just, or wise. You, my Lord, have imposed long enough on the world; your faculties have been greatly misjudged; your organs have been mistaken for talents, your facility and versatility for parts, your boldness (I could give it a harsher name) for knowledge, and your precipitation for dispatch. You are a memorable exception to the general rule of humanity, for years and exercise have not endowed you with experience or wisdom, and you possess, together with the cold heart of age, the hot brain of rash and intemperate youth. Already hath your furious prodigality brought this nation to the brink of ruin. Do not persist in your impious intention to accomplish what you have already well nigh performed. Retire from the stage, and try in retirement to repent of the evils you have brought on your country. If your proud heart cannot brook the idea of sincere repentance, let the repeated defeats which you have lately suffered in the prosecution of your outrageous designs, teach you to assume a virtue though you have it not.—By that appearance of contrition, and by that only, you may soften the odium which must attend you to the grave, and alleviate the load of indignation which posterity will lay on your memory. NERVA.—EDIT.

epithets, and after much consideration I can find but one possible way of reconciling the fact with the cunning understanding of the man. When he summoned the House, he never meant to do what he afterwards did ; some qualm, some terror intervened, and forced him hastily to alter his design, and to substitute a silly, absurd measure in the place of a dangerous one. As for his having dared lord Chatham to a trial of his doctrines, I should be glad to know by whom the combat was refused. Lord Chatham attacked him directly upon the spot, and on the very next day it is known to the whole world, that the great lord Camden addressed him in the following words : ' I consider the paper delivered in by the noble Lord upon the woolsack as a challenge directed personally to me, and I accept of it ;—he has thrown down the glove, and I take it up. In direct contradiction to him, I maintain that his doctrine is not the law of England. I am ready to enter into the debate whenever the noble Lord will fix a day for it. I desire, and insist, that it may be an early one. —The devil's in it if this be declining the trial : but what was the consequence? Lord Mansfield, after an hour's shuffling and evasion, finding himself pushed to the last extremity, cried out in an agony of torture and despair, *No, I will not fix a day—I will not pledge myself.*

As to lord Chatham's declaration concerning the irregular production of lord Mansfield's opinion in the Court of King's Bench, I am sorry to say that your correspondent *Nerva* neither knows the fact, nor understands the argument. He talks of a judgment in a cause where no judgment was ever given. Leaving therefore this poor man to his own unhappy reveries, let me state briefly to the public what was the fact, and what was the irregularity of the proceeding upon it.

The verdict given at *Nisi Prius* in the King and Woodfall was, *guilty of printing and publishing only.*[1] A motion in arrest of judgment was made by the defendant's counsel, grounded upon the ambiguity of the verdict. At the same time a motion was made by the counsel for the crown, for a rule upon the defendant to show cause why the verdict should not be entered up according to the legal import of the words. On both motions a rule to show cause was granted, and soon after the matter was argued before the Court of King's Bench. Lord Mansfield, when he delivered the opinion of the court upon the verdict, went regularly through the whole of the proceedings at *Nisi Prius*, as well the evidence that had been given, as his own charge to the jury. This proceeding would have been very proper had a motion been made of either side for a new trial, because either a verdict given contrary to evidence, or an improper charge by the judge at *Nisi Prius*, is held to be a sufficient ground for granting a new trial ; but when a motion is made in arrest of judgment, or for establishing the verdict, by entering it up according to the legal import of the words, it must be on the ground of something appearing *on the record ;* and the court, in considering whether the verdict shall be established or not, are so confined to the record that they cannot take notice of any thing that does not appear on the face of it ; to make use of the legal phrase, *they cannot travel out of the record.* Lord Mansfield did travel out of the record. I affirm therefore with lord Chatham, that his conduct was *irregular, extrajudicial,* and *unprecedented ;* and I am sure there is not a lawyer in England that will contradict me. His real motive for doing what he knew to be wrong, was, that he might have an opportunity of telling the public extrajudicially, that the other three judges agreed with him in the doctrine laid down in his charge.

When you have read this paper, I am sure you will join with me in opinion, that to support an uniform system of falsehood

[1] The whole of this paragraph is taken from a speech of lord Chatham, as quoted by JUNIUS in a note to his Preface, p. 122. See also in relation to the same, lord Mansfield's charge to the jury, on the trial here alluded to, in the editor's note, p. 117.—EDIT.

requires greater parts than even those of lord Mansfield.

PHALARIS.

LETTER LXXXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 24 *December*, 1770.

WITHOUT attempting to account for all the political changes, which have happened since his Majesty's auspicious accession to the throne, it requires but little sagacity to observe that the general principle, from which they have arisen, is uniform and consistent with itself. A prince of the House of Brunswick searches for the consolation and endearments of private sociality and friendship in the loyal hearts of jacobites, Tories and Scotchmen :—a devout prince, whose sincere, unaffected piety would have done honour even to Charles the First, intrusts the public government of his affairs to Grafton, North, Halifax, and Sandwich. The first choice naturally led to the second. The private convivial hours of Jonathan Wild were happily unbent in the company of the lower adepts in pilfering and petty larceny. In public, he resumed his state, and never appeared without an attendant knot of highwaymen and assassins.

I congratulate this country upon the return of the earl of Sandwich to a station, in which he has heretofore given complete satisfaction to his royal master.[1] It is the more pleasing, because it was unexpected. A gracious and a truly religious prince had often declared that this was the only man in his dominions, whom he never would suffer to enter the cabinet. He was tender of the morals of his ministers, and the Bedfords had delicacy enough to acquiesce in the truth of the objection. I feel for his Majesty's distress. To what a melancholy condition must he be reduced, when he is forced to apply to the earl of Sandwich as the last resource, the only prop remaining to stop the fall of government! Lord Weymouth, it seems, retires perfectly satisfied, and determined to support men and measures as vigorously, as if he had continued in employment. Good-humoured creature! What a pity it is, that he cannot submit to the drudgery of receiving seven thousand pounds a year! The king presses him to accept of some other post, where there is neither labour nor responsibility ;—any thing, in short, provided he will not fling the public mortification upon his royal master, of quitting his service, at so critical a conjuncture.—Still he resists ;—still he refuses ; but though he quits all connexion with ministers and their practices, it is impossible to interrupt his complacency and good humour.—By this nobleman's retreat, the nation has made some capital acquisitions. To say nothing of my lord Sandwich, what do you think of the amiable Mr Bamber Gascoyne, and that well educated, genteel young broker, Mr Chamier?[2] The first is to thunder in the senate ;—the second, in quality of secretary, is to direct the most secret and important manœuvres of government.—Well done, my lord Sandwich !—Your company, I'll be sworn, will be no reproach to you. But was there no employment to be found for Tommy Bradshaw's sister,[3] as well as his brother-in-law? She too understands the disposal of places ;—at least his fraternal affection has given her the credit of it.—

Give me leave, Mr Woodfall, to ask you a serious question. How long do you think it possible for this management to last? How long is this great country to be governed by a boot and a petticoat?—by the infamous tools of a Scotch exile, and her Royal Highness the princess dowager of

[1] The office of foreign minister, vacant by the removal of the earl of Rochford to the home department, and which, before its occupation by the latter, had been held for two or three years by lord viscount Weymouth.—EDIT.

[2] Chamier was afterwards appointed chief secretary to lord Barrington, through the interest of Mr Bradshaw and his master the duke of Grafton, at that time again in administration, as lord privy seal. See Private Letters, Nos. 52 and 56.—EDIT.

[3] See Miscellaneous Letters, Nos. LXXI. and LXXIV.—EDIT.

Wales?—by North, Ellis, Barrington, Jenkinson, Hillsborough, Jerry Dyson, and Sandwich? I will answer you with precision. It will last, until there is a general insurrection of the English nation, or until the House of Bourbon have collected their strength and strike you to the heart.

DOMITIAN.

P. S. Tell the duke of Grafton, that, if he should dare to entertain the most distant thought of the Admiralty, the whole affair of *Hine's patent* shall be revived and published, with an accumulation of evidence. *He* at least shall be kept under. His Ciceronian eloquence shall not save him.

LETTER LXXXIV.

For the Public Advertiser.

20 *December*, 1770.

A CARD.

PHALARIS presents his compliments to Sir ——, is preparing for the press a faithful account of Mr Justice's amours with the lady Williams; and as he wishes not to give a plain narrative too much the air of a romance, would be very glad to be furnished with any material facts, which Mr Justice may think proper to have inserted; but in order not to give Mr Justice any unnecessary trouble, *Phalaris* thinks it proper to apprise him of those circumstances, in which he (*Phalaris*), is already particularly instructed, viz., How Mr Justice was distressed for want of practice; how he was impatient at trying a long cause in a hot day at Hereford; how he made a declaration at a public dinner, confirmed by execrations, that he would marry the devil with money, rather than practise the law without it; how he was introduced to lady Williams; how, upon sufficient deliberation, he preferred her ladyship to the devil; how he explained his tender passion; how, with a gallant impatience, he hastened the marriage ceremony before he saw the writings of her estate; how he stepped into a hackney coach, one fine morning, in a suit of white cloth lined with green velvet; how he had a levee of visitors at his gate the day after his auspicious nuptials; how lady Williams complained next morning; how she retired to her country-seat near Hereford; how Mr Justice pursued her in company with a certain strong lady with a strait waistcoat; how both parties, with great cordiality, signed articles of separation; and how Mr Justice retired to Ireland, without taking leave of his friends.

Phalaris hopes Mr Justice will have no objection to the following motto:

Felices ter, et amplius,
Quos irrupta tenet copula.

LETTER LXXXV.

For the Public Advertiser.

INTELLIGENCE EXTRAORDINARY.

9 *January*, 1771.

SIR Edward Hawke resigned this morning. The earl of Sandwich is to succeed to the Admiralty.—His Majesty, who judges of men by their moral characters, has discovered at last that this nobleman is as well qualified for one post as another. His religion would do honour to a mitre. If he were archbishop of Canterbury, the princess dowager of Wales could not do better than make him her father confessor. In the primitive spirit of Christianity, *they might confess to one another.* Who is to be secretary of state is not yet known; for we all agree that lord Suffolk[1] has too much sense and spirit to prostitute his virgin character in such a * * * * * * as St James's.—When a beautiful woman yields to temptation, let her consult her pride, though she forgets her virtue.—To be corrupted by such a maquereau as Whately would turn the appetite of Moll Flanders. This poor man, with the talents of an attorney, sets up for an ambassador,

[1] See Miscellaneous Letters, Nos. XCVI. and XCVII.—EDIT.

and with the agility of colonel Bodens undertakes to be a courier. Indeed, Tom! you have betrayed yourself too soon.—Mr Grenville, your friend, your patron, your benefactor, who raised you from a depth (compared to which even Bradshaw's family stands on an eminence), was hardly cold in his grave, when you solicited the office of go-between to lord North. You could not, in my eyes, be more contemptible, though you were convicted (as I dare say you might be) of having constantly betrayed him in his lifetime.—Since I know your employment, be assured I shall watch you attentively. Every journey you undertake, every message you carry, shall be immediately laid before the public. The event of your ingenious management will be this,—that lord North, finding you cannot serve him, will give you nothing. From the other party, you have just as much detestation to expect as can be united with the profoundest contempt. Tom Whately, take care of yourself![1]

LETTER LXXXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 11 *January*, 1771.

YOUR correspondent *W.* is equally unfortunate in his attack upon JUNIUS and his defence of lord Mansfield. JUNIUS does not enter into the particular merits of the Grosvenor cause, but strikes at the general doctrine delivered by the judge in his charge to the jury; viz. *that, in a prosecution for criminal conversation, the jury, when they assess the damages, are not to regard the quality and fortune of the parties, but are to consider the question abstractedly as a question between* A. *and* B. If this doctrine be true in one instance, it will be applicable to every case of criminal conversation; and the consequences of it will be, that a nobleman with ten thousand a year shall pay no greater damages than a peasant, who labours for a shilling a day; or *vice versâ*, that the seduction of a duchess and of a milliner stand upon the same footing, in regard to the compensation due to the injured husband.—In a moral view, I confess, the crime is the same. The punishment annexed to it, though not matter of positive law, cannot be regulated by the rules of morality. It must depend on custom, reputation, and the circumstances of the case. The equity of the verdict must be measured by the distinctions of rank and fortune, admitted and established in society, since it is evident that the penalty or satisfaction sufficient for one man, might hardly be felt by another. It is the general doctrine of lord Mansfield, which JUNIUS very truly calls false and absurd; and I know that it was received in Westminster Hall with universal shame and astonishment.

As to the idea of lord Mansfield's inclining to favour lord Grosvenor, it is so preposterously false and ridiculous, that it would be entirely undeserving of notice, but for one consideration, viz.—that, if it were true, it stabs the chief justice to the heart.—Lord Mansfield is charged with gross and infamous partiality to the defendant;—the defence made for him is, that he was grossly and infamously partial to the plaintiff.—Let his friends take their choice. Every honest man will equally despise and detest such a judge, whichever way his bad passions incline him.

As to the merits of the Grosvenor cause, they are of no consequence in the present question. If it be necessary, however, I am ready to maintain that the verdict was supported by the evidence, and the damages very moderate. If not, why did not Mansfield order a new trial? When time, and place, and circumstance are proved, there remains but one possible plea for the duke of Cumberland; and that, by the bye, is rather a whimsical one, applied to a boy of one and twenty. Yet, for aught I know, it may be very true, that with all his attention to the *dear little hair*, he was incapa-

[1] Mr Whately had been private secretary to Mr G. Grenville.—EDIT.

ble of taking the fairest opportunity by the forelock.

ANTI-W.

LETTER LXXXVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 17 *Jan.* 1771.

IF sir Edward Hawke had followed the advice and example of his friends, he would not have been reduced to the dishonourable necessity of quitting the direction of the English navy, at the very moment it is going to be employed against the foreign enemies of England. To be left in employment after Chatham, Granby, and Camden had retired;—to continue in it in company with Grafton, North, Gower, and Hillsborough;—and at last to be succeeded by lord Sandwich, are circumstances too disgraceful to admit of aggravation. It is natural to sympathize in the distresses of a brave man, and to lament that a noble estate of reputation should be squandered away in debts of dishonour contracted with sharpers.

His Majesty, God bless him! has now got rid of every man whose former services or present scruples could be supposed to give offence to her Royal Highness the princess dowager of Wales. The security of our civil and religious liberties cannot be more happily provided for than while lord Mansfield pronounces the law, and lord Sandwich represents the religion of St James's. Such law and such religion are too closely united to suffer even a momentary intervention of common honesty between them. Her Royal Highness's scheme of government, formed long before her husband's death, is now accomplished. She has succeeded in disuniting every party, and dissolving every connexion; and, by the mere influence of the crown, has formed an administration, such as it is, out of the refuse of them all. There are two leading principles in the politics of St James's, which will account for almost every measure of government since the king's accession. The first is, that the prerogative is sufficient to make a lacquey a prime minister, and to maintain him in that post, without any regard to the welfare or to the opinion of the people.—The second is, that none but persons, insignificant in themselves, or of tainted reputation, should be brought into employment. Men of greater consequence and abilities will have opinions of their own, and will not submit to the meddling, unnatural ambition of a mother, who grasps at unlimited power, at the hazard of her son's destruction. They will not suffer measures of public utility, which have been resolved upon in council, to be checked and controlled by a secret influence in the closet. Such men consequently will never be called upon but in cases of extreme necessity. When that ceases, they find their places no longer tenable. To answer the purposes of an ambitious woman, an administration must be formed of more pliant materials,—of men, who, having no connexion with each other, no personal interest, no weight or consideration with the people, may separately depend upon the smiles of the crown alone for their advancement to high offices, and for their continuance there. If such men resist the princess dowager's pleasure, his Majesty knows that he may dismiss them without risking any thing from their resentment. His wisdom suggests to them that, if he were to choose his ministers for any of those qualities which might entitle them to public esteem, the nation might take part with them, and resent their dismission. As it is, whenever he changes his servants, he is sure to have the people, in that instance, of his side.

I love and respect our gracious sovereign too much to suppose it possible that *he* should be any thing more than passive in forming and supporting such a system of government; and even this acquiescence of the best of princes I am ready to attribute to a most amiable quality implanted in him by nature, and carefully cultivated by art,—unlimited duty and obedience to his dear mother.—Few nations are in the pre-

dicament that we are, to have nothing to complain of but the filial virtues of our sovereign. Charles the First had the same implicit attachment to his spouse ;—but his worthy parent was in her grave. It were to be wished that the parallel held good in all the circumstances.

In respect to her Royal Highness, I shall deliver my sentiments without any false tenderness or reserve. I consider her not only as the original creating cause of the shameful and deplorable condition of this country, but as a being, whose operation is uniform and permanent ;—who watches, with a kind of providential malignity, over the work of her hands, to correct, improve, and preserve it. If the strongest appearances may be relied on, this lady has now brought her schemes to perfection. Every office in government is filled with men who are known to be her creatures, or by mere cyphers incapable of resistance. Is it conceivable that any thing, less than a determined plan of drawing the whole power of the crown into her own hands, could have collected such an administration as the present?—Who is lord North?—The son of a poor unknown earl ;—who four years ago was a needy commissioner of the Treasury for the benefit of a subsistence, and who would have accepted a commission of hackney coaches upon the same terms. The politics of Carlton House—Finances picked up in Mr Grenville's ante-chamber, and the elocution of a Demosthenes, endeavouring to speak plain with pebbles in his mouth, form the stuffing of that figure, that calls itself minister, that does homage to the princess dowager, and says, *Madam, I am your man.*

The stage was deprived of a promising actor when poor lord Hillsborough gave his mind to politics. Yet his theatrical talents have been of use to his fortune. The princess dowager saw what part this man was capable of acting ; and with regard to himself, it signified but little whether he represented Prince Volscius at Drury-lane, or secretary of state at St James's.

It is not pretended that lord Rochford's abilities are of the *explicit* kind. Yet from a *chargé d'affaires* at Turin, the all-powerful guiding hand has raised him to be secretary of state. The princess dowager knows, better than we do, what positive good qualities this nobleman possesses. The public only knows that he is a mute in the House of Lords, and that he is destitute of fortune, interest, and connexions. To do him justice, he has all the negative qualifications that constitute merit at Carlton House.

The character of third secretary is not yet disposed of. Public suspicion gives lord Hillsborough a formidable rival. At the opening of the theatre young Suffolk is to be produced. Prince Prettyman can cant very near as well as Prince Volscius. Such a pair of actors make tragedy ridiculous. Our enemies at least will laugh at the catastrophe. But this young man shall be left for abler hands. It requires no vulgar pen to do justice to such a strain of monstrous prostitution.

Why is that wretched creature lord Townshend maintained in Ireland? Is it not universally known that the ignorance, presumption, and incapacity of that man have ruined the king's affairs in Ireland?—that he has, in a great measure, destroyed the political dependence of that country upon Great Britain?—But he too is an unconnected being, without any hope of support but in the protection of lord Bute and the princess dowager.

Why is not a commander-in-chief appointed? Because there is an insignificant secretary at war, who has no chance of continuing in the receipt of £2500 a year, but by making himself the instrument through which the princess dowager disposes of every valuable commission in the army.

Why have we not a master-general of the ordnance? Because the gentle Conway knows how to be as pliant as lord Barrington.

Why is there no chancellor? Partly because there is a convenience in bribing four of the judges with the emoluments of that office, and partly because no man of credit

in the profession will submit to act with the present infamous administration.

What merit has lord Halifax?—The issue of general warrants;—the opposition of his privilege for years together to the laws of his country;—prostitution in private life, and poverty in the extreme.

Why is the king so fond of having lord Bristol *about his person?* If the duties of the noble lord's office had a closer connexion with the title of it, as usually pronounced, I should understand his Majesty, and admire his attention in paying so delicate a compliment to his Lordship's amours. The last question I would ask is, by what kind of service or ability the earl of Sandwich is distinguished? Prostitution and poverty may be found in other subjects, and appearances saved by a decent formality of behaviour. The choice and preference of the most profligate character in the kingdom may suit well enough with the substantial purposes of Carlton House, but how does it consist with the hypocritical decorum of St James's? What opinion are we to entertain of the piety, chastity, and integrity of the best of princes, when, in the face of England and of all Europe, he takes such a man as Sandwich to his bosom! —Let us hear no more of the piety of St James's.—To talk of morals or devotion in such company is a scandalous insult to common sense, and a still more scandalous mockery of religion.

The princess dowager having now carried her plan of administration into effect, it is not to be wondered that she should be very unwilling to expose herself and her schemes to the uncertain events of a foreign war. She knows that a disaster abroad would not only defeat the cunning plan of female avarice and ambition; but that it might reach further.—The mothers of our kings have heretofore been impeached; and if the precedents are not so complete as they should be, they require and will admit of improvement.

To maintain this lady in her present state of power and security, there is no insult, no indignity, to which the king of Britain must not submit,—no condition, however humiliating, which the king and the nation must not accept of without resentment.—At this point, however, her cunning forsakes her. Both she and her ministers deceive themselves grossly if they imagine that any concessions can secure peace with an enemy determined upon war.—She may disgrace the English nation. She may dishonour her son, and persuade him to forfeit his right to precedence among the sovereigns of Europe. The man who receives a blow, and does not return it (whether he be a king or a private person), from that moment stands degraded from his natural rank and condition. If he be a young man, his infamy is immortal.—Yet I am ready to confess that where two nations upon the whole are peaceably disposed, there is a degree of slight, and ill humour, and even of injury, which, for the sake of peace, may and ought to be dissembled: but a direct, positive, intended insult must always be resented. To flatter ourselves that the moderation of the Spaniards will be proportioned to our forbearance, or that, because we have submitted tamely to one affront, they will therefore avoid offering us a second, would be arguing in contradiction to all reason and experience. If Falkland Island had never existed, the rancour of the Spaniards would not have failed to discover itself in some other mode of hostility. Their whole history, since the accession of Philip the Vth, is a continued proof of a rooted antipathy to the name of Englishman; and I am justified, by a series of indisputable facts, in affirming that from the treaty of Utrecht to this hour, there has never been a single instance of common justice or decency, much less of cordiality or friendship, in the conduct of the court of Madrid towards this country. Lord Sandwich declared a month ago, in full parliament, that Gibraltar was a place of no consequence, and immediately afterwards the princess dowager makes him secretary of state. Whoever compares the sale of Dunkirk with this nobleman's character, must be very much of a sceptic, if he enter-

tains any doubt about the fate of Gibraltar. But neither this sacrifice, nor even that of Jamaica, would be sufficient to produce a solid, permanent union with Spain. They may despise us more, but they will never hate us less.

By the princess dowager's management, instead of avoiding a war we make it certain. A little spirit at first might perhaps have intimidated the Spaniards. Our notorious weakness and shameful submission have only served to encourage and confirm them in their resolution. In point of honour, we have let the proper moment of resentment pass away. The royal and national honour is so irretrievably stained, that it cannot now be recovered by the most vigorous measures of revenge.—From her Royal Highness's government in time of peace, we may well conclude in what manner she will conduct a war. Gifted as she is, she could hardly fail of success, if the quarrels of nations bore any resemblance to domestic feuds, or could be conducted upon the same principles. The genius of Queen Elizabeth united the nation, collected the strength of the people, and carried it forward to resistance and victory. When the dæmon of discord sits at the helm, what have we to expect but distraction and civil war at home, disgrace and infamy abroad!

DOMITIAN.

LETTER LXXXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 13 *Feb.* 1771.

I READ with astonishment, and no small indignation, a letter which is at last got into your paper, I mean that from lord Weymouth to Mr Harris.[1] The copy

[1] This letter refers to the much agitated dispute concerning the Malouine, or Falkland's Islands, which, without any formal recognition, had, for many years after their first occupation by captain Byron in 1765, been quietly suffered by Spain to remain in the hands of his Britannic Majesty, who had erected a small fort on the coast of the chief of them named Port Egmont. In June, 1769, however, without any complaint or notice on the part of the Spanish government to the court of St James's, a forcible debarkation was effected on the coast of Port Egmont, by a Spanish armament from Port Solidad, in Buenos Ayres; the whole mass of islands was claimed by the commander of the expedition in the name of his most Catholic Majesty, whose right was formally asserted to the whole Magellanic region; the small body of English troops stationed at Port Egmont was compelled to submit, and turned adrift from the island in two English frigates, which chanced to be in the harbour, to make the best of their voyage home, and relate the history of this extraordinary adventure.

The English ministry heard the account with indignation; and the letter from lord Weymouth to Mr Harris, the resident minister at the court of Madrid, referred to above, was the result. The court of Madrid had offered a convention, or conditional restoration, and his Lordship's letter purports to be a reply to such offer; it was dated 17 Oct. 1770, and the following is the most important passage contained in it.

'His Majesty cannot accept, under a convention, that satisfaction to which he has so just a title, without entering into any engagements to procure it. The idea of his Majesty's becoming a contracting party upon this occasion is entirely foreign to the case; for, having received an injury and demanded the most moderate reparation of that injury his honour will permit him to accept, that reparation loses its value, if it is to be conditional, and to be obtained by any stipulation whatsoever on the part of his Majesty.'

Yet in direct violation of this demand of an unconditional restoration and acknowledged sovereignty, the following declaration and acceptance were mutually acceded to at London, Jan. 22, 1771.

> Translation of the Declaration signed and delivered by Prince de Maserano, Ambassador Extraordinary from his Catholic Majesty, dated the 22nd day of January, 1771.
>
> His Britannic Majesty having complained of the violence which was committed on the 10th of June, 1770, at the island commonly called the Great Malouine, and by the English Falkland's Island, in obliging by force the commander and subjects of his Britannic Majesty to evacuate the port by them called Egmont; a step offensive to the honour of his crown;—the Prince de Maserano, ambassador extraordinary of his Catholic Majesty, has received orders to declare, and declares, that his Catholic Majesty, considering the desire with which he is animated for peace, and for the maintenance of good harmony with his Britannic Majesty, and reflecting that this event might interrupt it, has seen with displeasure this expedition tending to disturb it; and in the persuasion in which he is of the reciprocity of sentiments of his Britannic Majesty, and of its being far from his intention to authorize any

which you have procured I know to be authentic, having read it amongst the papers laid by administration before both Houses. It is the most complete and un-

thing that might disturb the good understanding between the two courts: his Catholic Majesty does disavow the said violent enterprise;—and in consequence the Prince de Maserano declares, that his Catholic Majesty engages to give immediate orders that things shall be restored in the Great Malouine, at the port called Egmont, precisely to the state in which they were before the 10th of June, 1770; for which purpose his Catholic Majesty will give orders to one of his officers to deliver up to the officer authorized by his Britannic Majesty, the port and fort called Egmont, with all the artillery, stores, and effects of his Britannic Majesty and his subjects, which were at that place the day above-named; agreeable to the inventory which has been made of them.

The Prince de Maserano declares, at the same time, in the name of the king his master, that the engagement of his said Catholic Majesty, to restore to his Britannic Majesty the possession of the fort and port called Egmont, cannot, nor ought, any wise to affect the question of the prior right of sovereignty of the Malouine Islands, otherwise called Falkland's Islands. In witness whereof, I, the underwritten ambassador extraordinary, have signed the present declaration with my usual signature, and caused it to be sealed with our arms. London, the twenty-second day of January, one thousand seven hundred and seventy-one.

(L. S.) (Signed) LE PRINCE DE MASERANO.

Translation of the earl of Rochford's Acceptance, dated the 22nd day of January, 1771, of the Prince de Maserano's Declaration of the same Date.

His Catholic Majesty having authorized the Prince of Maserano, his ambassador extraordinary, to offer in his Majesty's name to the king of Great Britain a satisfaction for the injury done to his Britannic Majesty by dispossessing him of the port and fort of Port Egmont; and the said ambassador having this day signed a declaration, which he has just delivered to me, expressing therein that his Catholic Majesty, being desirous to restore the good harmony and friendship which before subsisted between the two crowns, does disavow the expedition against Port Egmont, in which force has been used against his Britannic Majesty's possessions, commander, and subjects; and does also engage that all things shall be immediately restored to the precise situation in which they stood before the 10th of June, 1770. And that his Catholic Majesty shall give orders in consequence to one of his officers to deliver up to the officer authorized by his Britannic Majesty, the port and fort of Port Egmont, as also all his Britannic Majesty's artillery, stores, and effects, as well as those of his subjects, according to the inventory which has been made of them.—And the said ambassador having moreover engaged, in his Catholic Majesty's name, that what is contained in the said declaration shall be carried into effect by his said Catholic Majesty; and that duplicates of his Catholic Majesty's orders to his officers shall be delivered into the hands of one of his Britannic Majesty's principal secretaries of state within six weeks; his said Britannic Majesty, in order to show the same friendly dispositions on his part, has authorized me to declare, that he will look upon the said declaration of Prince de Maserano, together with the full performance of the said engagement on the part of his Catholic Majesty, as a satisfaction for the injury done to the crown of Great Britain. In witness whereof, I, the underwritten, one of his Britannic Majesty's principal secretaries of state, have signed these presents with my usual signature, and caused them to be sealed with our arms. London, the 22nd day of January, 1771.

(L. S.) (Signed) ROCHFORD.

These papers, together with the above letter of lord Weymouth, were laid by lord North before the House of Commons, Jan. 25, 1771; and on Feb. 4, the two following queries were moved by lord Chatham, in the House of Lords, for the opinion of the judges.

1.

Whether, in consideration of law, the imperial crown of this realm can hold any territories or possessions thereunto belonging, otherwise than in sovereignty?

2.

Whether the declaration, or instrument for restitution of the port or fort called Egmont, to be made by the Catholic king to his Majesty, *under a reservation of a disputed right of sovereignty expressed in the very declaration or instrument stipulating such restitution*, can be accepted or carried into execution without derogating from the maxim of law before referred to, *touching the inherent and essential dignity of the crown of Great Britain?*

> 'The above queries were not referred to the judges, because lord Mansfield said, that the answer to them was self-evident,—that they answered themselves;—by which his Lordship was understood to mean that both queries clearly answered themselves in the *negative*.'

On the 13th of February an address of thanks for the communication was voted in both Houses of parliament; that in the Commons, after a very long debate, was carried by a considerable majority, the numbers being for the address 271, against 157, who voted for the amendment.

The address of the Lords was much fuller of approbation than that of the Commons, and was, notwithstanding, carried through with a much greater proportional majority; it was, however, productive of the following nervous and argumentative protest, signed by not less than nineteen peers.

answerable condemnation of the infamous convention with Spain that the mind of man can suggest. The whole culprit ministry, together with the king, plead

DISSENTIENT.

1. Because it is highly unsuitable to the wisdom and gravity of this House, and to the respect which we owe to his Majesty and ourselves, to carry up to the throne an address approving the acceptance of an imperfect instrument, which has neither been previously authorized by any special *full powers* produced by the Spanish minister, nor been as yet ratified by the king of Spain. If the ratification on the part of Spain should be refused, the address of this House will appear no better than an act of precipitate adulation to ministers; which will justly expose the peerage of the kingdom to the indignation of their country, and to the derision of all Europe.

2. Because it is a direct insult on the feelings and understanding of the people of Great Britain, to approve this declaration and acceptance, as a means of securing our own and the general tranquillity, whilst the greatest preparations for war are making, both by sea and land: and whilst the practice of pressing is continued, as in times of the most urgent necessity, to the extreme inconvenience of trade and commerce; and with the greatest hardships to one of the most meritorious and useful orders of his Majesty's subjects.

3. Because the refusing to put the questions to the judges upon points of law, very essentially affecting this great question, and the refusing to address his Majesty to give orders for laying before this House the instructions relating to Falkland's Islands, given to the commanders of his Majesty's ships employed there, is depriving us of such lights as seemed highly proper for us on this occasion.

4. Because from the declaration and correspondence laid before us, we are of opinion that the ministers merit the censure of this House, rather than any degree of commendation, on account of several improper acts, and equally improper omissions, from the beginning to the close of this transaction. For it is asserted by the Spanish minister, and stands uncontradicted by ours, that several discussions had passed between the ministers of the two courts upon the subject of Falkland's Islands, which might give the British ministers reason to foresee the attack upon that settlement that was afterwards made by the forces of Spain. Captain Hunt also, arriving from thence so early as the third of June last, did advertise the ministers of repeated warnings and menaces made by Spanish governors and commanders of ships of war; yet so obstinately negligent and supine were his Majesty's ministers, and so far from the vigilance and activity required by the trust and duty of their offices, that they did not even so much as make a single representation to the court of Madrid; which if they had done, the injury itself might have been prevented, or at least so speedily repaired, as to render unnecessary the enormous expenses, to which this nation has been compelled, by waiting until the blow had been actually struck, and the news of so signal an insult to the crown of Great Britain had arrived in Europe. To this wilful, and therefore culpable, neglect of representation to the court of Spain, was added another neglect, a neglect of such timely preparation, for putting this nation into such a state of defence, as the menacing appearances on the part of Spain and the critical condition of Europe required. These preparations, had they been undertaken early, would have been executed with more effect, and less expense; would have been far less distressing to our trade, and to our seamen; would have authorized us in the beginning to have demanded, and would in all probability have induced Spain to consent to, an immediate, perfect, and equitable settlement of all the points in discussion between the two crowns; but all preparation having been neglected, the national safety was left depending rather upon accidental alterations in the internal circumstances of our neighbours, than in the proper and natural strength of the kingdom; and this negligence was highly aggravated by the refusal of administration to consent to an address, proposed by a noble lord in this House last session, for a moderate and gradual augmentation of our naval forces.

5. Because the negotiation, entered into much too late, was, from the commencement, conducted upon principles as disadvantageous to the wisdom of our public councils, as it was finally concluded in a manner disgraceful to the honour of the crown of Great Britain; for it appears, that the court of Madrid did disavow the act of hostility, as proceeding from particular instructions, but justified it under her general instructions to her governors, under the oath by them taken, and under the established laws of America. This general order was never disavowed nor explained; nor was any disavowal or explanation thereof ever demanded by our ministers: and we apprehend that this justification of an act of violence under general orders, established laws, and oaths of office, to be far more dangerous and injurious to this kingdom than the particular enterprise which has been disavowed, as it evidently supposes, that the governors of the Spanish American provinces are not only authorized, but required, without any particular instructions, to raise great forces by sea and land, and to invade his Majesty's possessions in that part of the world, in the midst of profound peace.

6. Because this power, so unprecedented and alarming, under which the Spanish governor was justified by his court, rendered it the duty of our ministers to insist upon some censure or punishment upon that governor, in order to demonstrate the sincerity of the court of Madrid, and of her desire to preserve peace, by putting at least some check upon those exorbitant powers asserted by the court of Spain to be given to her governors. But although our ministers were authorized not only by the acknowledged principles of the law

guilty by their own unanimous voice. No secretary of state ever did or would write a letter of this sort upon so delicate a matter, without first laying it before his Majesty's

of nations, to call for such censure or punishment, but also by the express provision of the seventeenth article of the treaty of Utrecht, yet they have thought fit to observe a profound silence on this necessary article of public reparation. If it were thought that any circumstances appeared in the particular case of the governor, to make an abatement or pardon of the punishment advisable, that abatement or pardon ought to have been the effect of his Majesty's clemency, and not an impunity to him, arising from the ignorance of our ministers in the first principles of public law, or their negligence or pusillanimity in asserting them.

7. Because nothing has been had or demanded as a reparation in damage for the enormous expense and other inconveniences, arising from the confessed and unprovoked violence of the Spanish forces in the enterprise against Falkland's Islands, and the long subsequent delay of justice. It was not necessary to this demand that it should be made in any improper or offensive language, but in that style of accommodation which has ever been used by able negotiators.

8. Because an unparalleled and most audacious insult has been offered to the honour of the British flag, by the detention of a ship of war of his Majesty's, for twenty days after the surrender of Port Egmont, and by the indignity of forcibly taking away her rudder: this act could not be supported upon any idea of being necessary to the reduction of the fort, nor was any such necessity pretended. No reparation in honour has been demanded for this wanton insult, by which his Majesty's reign is rendered the unhappy æra in which the honour of the British flag has suffered the first stain with entire impunity.

9. Because the Spanish declaration, which our ministers have advised his Majesty to accept, does in general words imply his Majesty's disavowal of some acts on his part tending to disturb the good correspondence of the two courts, when it is notorious, that no act of violence whatsoever had been committed on the part of Great Britain. By this disavowal of some implied aggression in the very declaration, pretended to be made for reparation of the injured dignity of Great Britain, his Majesty is made to admit a supposition contrary to truth, and injurious to the justice and honour of his crown.

10. Because in the said declaration the restitution is confined to Port Egmont, when Spain herself originally offered to cede Falkland's Islands. It is known that she made her forcible attack on pretence of title to the whole, and the restitution ought, therefore, not to have been confined to a part only, nor can any reason be assigned why the restitution ought to have been made in narrower or more ambiguous words than the claims of Spain, on which her act of violence was grounded, and her offers of restitution originally made.

11. Because the declaration, by which his Majesty is to obtain possession of Port Egmont, contains a reservation or condition of the question of a claim of prior right of sovereignty in the Catholic king to the whole of Falkland's Islands, being the first time such a claim has ever authentically appeared in any public instrument jointly concluded on by the two courts. No explanation of the principles of this claim has been required, although there is just reason to believe that these principles will equally extend to restrain the liberty and confine the extent of British navigation. No counter-claim has been made on the part of his Majesty, to the right of sovereignty, in any part of the said island ceded to him; any assertion whatsoever, of his Majesty's right of sovereignty, has been studiously avoided, from the beginning to the accomplishment of this unhappy transaction; which, after the expense of millions, settles no contest, asserts no right, exacts no reparation, affords no security, but stands as a monument of reproach to the wisdom of the national councils, of dishonour to the essential dignity of his Majesty's crown, and of disgrace to the hitherto untainted honour of the British flag.

After having given these reasons, founded on the facts which appeared from the papers, we think it necessary here to disclaim an invidious and injurious imputation, substituted in the place of fair argument, that they who will not approve of this convention, are for precipitating their country into the calamities of war. We are as far from the design, and we trust much further from the act, of kindling the flame of war, than those who have advised his Majesty to accept of the declaration of the Spanish ambassador. We have never entertained the least thought of invalidating this public act; but if ministers may not be censured, or even punished, for treaties which, though valid, are injurious to the national interest and honour, without a supposition of the breach of public faith in this House, that should censure or punish, or of a breach of the laws of humanity in those who propose such censure or punishment, the use of the peers, as a controul on ministers, and as the best as well as highest council of the crown, will be rendered of no avail. We have no doubt but a declaration more adequate to our just pretensions, and to the dignity of the crown, might have been obtained without the effusion of blood; not only from the favourable circumstances of the conjuncture, but because our just demands were no more than any sovereign power, who had injured another through inadvertence or mistake, ought, even from regard to its own honour, to have granted: and we are satisfied that the obtaining such terms would have been the only secure means of establishing a lasting and honourable peace.

RICHMOND, AUDLEY,
BOLTON, KING,
MANCHESTER, TORRINGTON,
TANKERVILLE, MILTON,
CHATHAM, ABERGAVENNY,

most confidential servants, and taking the king's express orders upon it. It speaks then the unanimous sentiments of them all. His Majesty pronounces in common with the rest his own condemnation in that of this unworthy transaction. The moderate reparation to his Majesty's honour for the injury is not obtained unconditionally; that is, in the only way which he himself and his servants thought indispensable. An humiliating stipulation for referring the discussion of the prior right is a defeasance of the reparation. It wounds irreparably the honour of the king as a private man, and the glory of the kingdom; but when that stipulation carries along with it also a private insinuation or encouragement to the Catholic King to hope, and most probably, not to say certainly, an express assurance, that not only Port Egmont, now restored to us, but the whole island, shall in due time, as soon as they dare, be surrendered to the crown of Spain. No words can express the meanness or folly of such a proceeding. Our tame submission to France in the Corsican business has drawn this atrocious insult upon us. This insult, accompanied with the indignities contained, by the minister's own confession, in the convention, will renew to us, in the mouths of the proud and triumphant Spaniards, the ignominious title of *Gallinas del mar*, and we shall deservedly become a bye-word of contempt amongst the nations. The only reparation which it can be pretended that Spain makes, is the temporary restitution of Port Egmont. Restoring to me my possessions violently seized is an act of justice, not of reparation: but with what indelible shame shall we be covered, when it is seen that we pitifully traffic away what was insultingly wrested from us, and yield the whole to the aggressor under any pretence or colour whatever? The insult was committed after repeated notices of our right, in full peace: it was an insult not only to the flag of England hitherto spotless, but to the whole majesty of the kingdom, by direct hostilities committed as in time of actual war, so as to inforce a formal capitulation: a proceeding till now unheard of, submitted to with a meanness and treachery on the part of our rulers, which nothing can now palliate. We deceive ourselves if we think the peace can be maintained by pusillanimity and baseness. Remember 'his Majesty cannot accept under a convention that satisfaction to which he has so just a title, without entering into any engagements to procure it.'[1]

A MEMBER *of one House of Parliament in mourning for the honour of his king and country.*

WYCOMBE, CRAVEN, BOYLE, DEVONSHIRE, FITZWILLIAM, PONSONBY, SCARBOROUGH, ARCHER.

DISSENTIENT.

Because, though the disavowal may be considered as humiliating to the court of Spain, the declaration and acceptance, under the reservation of the question of prior right, do not, in my opinion, after the heavy expences incurred, either convey a satisfaction adequate to the insult on the honour of Great Britain, or afford any reasonable grounds to believe that peace, on the terms of honour, can be lasting. RADNOR.—EDIT.

[1] See this subject further discussed in Letter XLII., and notes appended to it.—EDIT.

LETTER LXXXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 16 *February*, 1771.

IT is proper the public should be informed that, upon lord Gower's election to be a knight of the garter, there were but four knights present, besides the sovereign, and the duke of Gloucester was lugged in to be one of them. He intreated, he begged, he implored,—but all to no purpose. Poor Peg Trentham was forced to submit to an election, which, by the statutes of the order, is void.—Ashmole informs us, that 'to make up a complete chapter of election, there should be assembled six knights companions at the least, besides the sovereign; the due observance of which hath been so strict formerly, that

elections have been deferred, where chapters have been deficient in that number.'[1]

The present way of electing Peg Trentham, is, for two reasons, remarkable. It shows first, in what profound contempt poor Peggy is universally held. And secondly, the pious resolution of our gracious sovereign to introduce a new system of arithmetic. In the decision of the Middlesex election it was resolved that 296 were more than 1143, and now we are told that four are equal to six.—This puts me in mind of lord Marsh's election to the coterie.—All the balls were black ;—but the returning officer, George Selwyn, thought proper to swear he was duly elected, and he took his seat accordingly.

A. B.

LETTER XC.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *22 February*, 1771.

THE advocates of the ministry are, in point of ignorance, upon a level with the people whose conduct they defend.[2] The questions they ask are suicide to their own cause. Gibraltar and Minorca were yielded to England by the treaty of Utrecht, to which treaty Spain acceded ; and, admitting that they have never given up in form their claim to Jamaica, it is also true that, since the treaty of Utrecht, they have never asserted such a claim, much less have *we* allowed it to be inserted in any treaty between the two crowns. But, Sir, the real question is, not what declarations or pretensions Spain may have thought proper to advance, but, what declarations or pretensions on their part *have we admitted and accepted?* To support a fair comparison between the terms on which we hold the above places, and those on which Port Egmont is restored, it should be proved that Spain, in some treaty between us and it, has asserted its claim of prior right to Jamaica, Gibraltar, and Minorca, and that we have, with equal formality, accepted a treaty containing such an express reserva-

[1] The same fact is related, and probably by the same correspondent, in the following article of the Public Advertiser, February 15, 1771.

A correspondent has sent us the following remarks on the London Gazette, published by authority.

This lying paper contains the following unprecedented article : 'St James's, Feb. 11. This day a chapter of the most noble order of the garter was held in the great council chamber, when Granville Levison Gower, earl Gower, being first knighted, was afterwards elected and invested with the garter, ribbon, and George, with the usual solemnity.' It is most notorious to a great concourse of nobility and gentry then present, that there were only assisting the best of kings, the dukes of Gloucester, Newcastle, and Northumberland ; consequently it is impossible that any election can have been made, the statutes of the order requiring the presence of the sovereign with six knights. The best of kings, whose duty it is to preserve the laws inviolable, could, to be sure, on no consideration, not even the election of that most worthy peer the earl Gower into this noble order, be prevailed upon, in the face of all England, to set the example of openly violating the statutes which have hitherto been so religiously respected and observed through so many ages. Had there been an election, the Gazette would have proclaimed it in the usual form, the knights present would have been enumerated and named. It is impossible that the best of kings can be a party to the illegally smuggling in a knight upon that most noble order, in the same manner as a knight for the county of Middlesex has been smuggled into the House of Commons. If this article of news could be true, would not the kingdom have reason to lament that all order, decency, and respect for ancient rules and establishment, is now broken through by the person whose peculiar duty and interest it is to preserve them? Is the court itself so unpopular, or is the subject of his Majesty's favour so unworthy, that it was, after ten days waiting, impossible to procure the attendance of more than the king's own brother, the lord chamberlain, the auditor of the Exchequer, and the duke of Northumberland in flannels?

Risum teneatis amici!

[2] The following is a copy of the paragraph which occasioned the foregoing essay :

'People who would cavil, and are clamorous about that part of the Spanish declaration, where the king of Spain makes a reservation of a prior claim of right to Falkland Island, would do well to consider, that such reservation is only mere matter of form, and is never likely to produce the smallest misunderstanding between the two crowns, especially when they recollect, or may inform themselves, that Spain never, to this hour, has renounced her formal claim of right, either to Minorca or Gibraltar, in the treaties subsequent to our possession of those places.'—EDIT.

tion, and declared ourselves *satisfied with it*. The ministry would then have an example in point.[1]

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LETTER XCI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *6 March*, 1771.

PRAY tell that ingenious gentleman Mr Laughlin Macleane,[2] that when the king of Spain writes to the king of Great Britain, he omits four-fifths of his titles, and when our king writes to him, his address is always *Carolo, Dei gratia, Hispaniarumt utriusque Siciliæ, et Indiarum Regi Catholico*. It was reserved for his present Majesty to say, in a public instrument, 'Falkland Island is one of my possessions, and yet I allow the king of Spain to reserve a claim of prior right, and I declare myself *satisfied* with that reservation.' In spite of Mr Laughlin's disinterested, unbroken, melodious eloquence, it is a melancholy truth that the crown of England was never so insulted, never so shamefully degraded, as by this declaration, with which the best of sovereigns assures his people he is perfectly, entirely, completely satisfied.

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[1] The printer thought proper at the time, with the consent of the author, see Private Letter, No. 33, to break off at this point, and to suppress the remainder of the essay. The autograph of the entire letter is still in the hands of the proprietor of this edition: but it would be a breach of confidence to continue it further. Independently of which, he altogether approves of the suppression. —EDIT.

[2] Laughlin Macleane had been under secretary of state during lord Shelburne's possession of the office for the southern department. In his defence of the ministry here referred to, he still discovers a hankering after office, and at least a disposition to forgive them for his dismission. Mr Campbell, however, in his Life of Hugh Boyd, p. 125, tells us that at this very period he possessed 'a mortal hatred for his Grace (of Grafton), and indulged his resentment by painting him in the blackest colours!!!' See observations on this subject in the Preliminary Essay, p. 51. In January, in the following year, he received from lord North the collectorship of Philadelphia, and subsequently an appointment to India, in his voyage to which he was lost.—EDIT.

LETTER XCII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *25 March*, 1771.

HOWEVER the court might have concealed its designs; however it might have deluded those who were disposed to be deceived, the imposition can exist no longer. The triplet union of Crown, Lords, and Commons against England displays itself with a violence and a candour, which statesmen in other conspiracies seldom have adopted. It is no more a question of royal antipathy or feminine unrelenting resentment; it is not a single inconsequent act of arbitrary power; it is not the offensive individual, but the free constitution of this country, whose destruction engages the influence of the crown and the authority of parliament.

The House of Commons assume a power of imprisonment during pleasure for actions which the laws have not made criminal. They create a crime as well as a punishment. They call upon the king to support their illegality by a proclamation still more illegal; and the liberty of the press is the object of this criminal alliance. They expunge a recognizance; they stagnate the cause of justice, and thereby assume an absolute power over the law and property of Great Britain.[3]

[3] The whole of this requires explanation. The printers of newspapers having long intended it, now resolutely determined to report the debates of both Houses. Col. Onslow made a motion against them as guilty of a violation of the privileges of parliament; and the printers were summoned to attend: Wheble and Miller however refused to obey the order; and the minister thought proper to issue a proclamation in his Majesty's name, and insert it in the Gazette, offering a reward of fifty pounds for apprehending John Wheble, printer of the Middlesex Journal, and John Miller, printer of the London Evening Post, for daring to publish certain speeches delivered in parliament. In consequence of this proclamation they were both apprehended; Wheble by a brother printer of the

The House of Lords have not been backward in *their* contribution to the scheme of slavery; for they have imprisoned, and they have fined. The crime, like the punishment,

name of Carpenter, who owed him a grudge, and Miller by William Whittam, a messenger of the House of Commons. The former was carried before Mr Wilkes, at that time just liberated from the King's Bench, and, as alderman for Farringdon Without, sitting magistrate at Guildhall: who denying the legal authority of a mere proclamation, discharged Wheble, and took a recognizance of him to prosecute Carpenter for an assault and unlawful imprisonment. Miller upon his arrest sent for a constable, to whom he gave charge of the messenger who arrested him, and immediately carried him to the Mansion-house, where the lord mayor, Mr Alderman Wilkes, and Mr Alderman Oliver jointly heard the cause, discharged Miller, and signed a warrant of commitment of the messenger to the Compter for the assault and false imprisonment; from which, however, he was released upon finding bail. Wilkes at the same time that these transactions were officially entered by the lord mayor's clerk into the Mansion-house rota book, addressed a letter to lord Halifax, one of the secretaries of state, informing him of the steps he had taken.

All was confusion and uproar. The House of Commons supported the legality of the *proclamation:* issued an *order* to prohibit every kind of prosecution or suit from being commenced or carried on for or on account of the assault and imprisonment of the printers; ordered the clerk to attend who had entered the proceedings in the Mansion-house minute book; erased the entire record; and summoned the different aldermen who had officiated to appear at the bar of the House to answer for their conduct.

The city first of all, and afterwards the nation at large, was extremely indignant at such illegal violence. The lord mayor's clerk was severely reprimanded at a general court of aldermen for suffering the city minute book to be mutilated; the Bill of Rights Society complained vehemently against the outrages committed;—Wilkes refused to obey the summons for his attendance, and the lord mayor and his other colleagues, upon attending and justifying their conduct, were committed to the Tower, for pretended contumacy. It was on this occasion that the lord mayor (Crosby) made the following spirited reply:—

'Mr Speaker,—an honourable gentleman has talked of the lenity to be shown me on account of my health, and my being only committed to the custody of the serjeant at arms. I thank God that my health is better than it has been for some time past. I know that I was prejudged on Monday, and that the string of resolutions and warrants is now in the gentleman's pocket. I ask no favour of this House. I crave no mercy from the Treasury-bench. I am ready to go to my noble friend at the Tower, if the House shall order me. My conscience is clear, and tells me that I have kept my oath, and done my duty to the city, of which I have the honour to be chief magistrate, and to my country. I will never betray the privileges of the citizens, nor the rights of the people. I have no apology to make for having acted uprightly, and I fear not any resentment in consequence of such conduct. I will through life continue to obey the dictates of honour and conscience, to give my utmost support to every part of the constitution of this kingdom, and the event I shall always leave to Heaven, at all times ready to meet my fate.'

The lord mayor was accompanied to the Tower by an immense concourse of the livery, as well as of persons not connected with the police of the city, many of them of the utmost respectability; he was visited by the dukes of Manchester and Portland, earls Fitzwilliam and Tankerville, lord King, admiral Keppel, sir Charles Saunders, Mr Dowdeswell, Mr Burke, and many other commoners; as also by the two sheriffs, in order to express their entire disapprobation of the proceedings that had taken place against them; and the thanks of the city were voted unanimously, at a meeting of common council holden March 28, to such members of the House of Commons as had supported the conduct of the lord mayor and his colleagues, and maintained the rights and privileges of the city. The common council voted that all the expenses of the lord mayor's and Mr Oliver's table, &c. &c., should be defrayed by the city.

The magistrates, in order to obtain their discharge, were carried by *habeas corpus*, first before lord chief justice De Grey, and afterwards before lord Mansfield; but both judges refusing to discharge them, they were remanded to the Tower. In the mean time, in direct opposition to the order of the House of Commons, the grand jury, at the ensuing quarter-sessions at Guildhall, found bills of indictment against Carpenter and Whittam, the messenger of the House, for the assault and imprisonment of Miller and Wheble. The lord mayor and his colleagues remained in the Tower till the 8th of May, on which day his Majesty, by proroguing the parliament, terminated its power of confining them any longer.

It is not necessary at this time to enter into the question of the legality or illegality of the power claimed in this instance by the House of Commons, under the specious name of parliamentary privilege. They virtually admitted themselves to have erred, by their subsequent conduct towards Mr Wilkes; who, though by far the most culpable of the whole (admitting culpability of any kind), was suffered to remain unmolested, except by serving him with three successive summonses to appear at the bar of the House, every one of which he contemptuously refused to obey, unless the House would suffer him to take his place as member for Middlesex. The result of the contest has terminated favourably for the public, who have ever since been put into possession of the debates of both Houses, through the medium of newspaper reporters.—EDIT.

was in their own bosom. They were *ex post facto* legislators. They were parties; they were judges; and, instead of a court of final judicature, acted as a court of criminal jurisdiction in the first instance. The three estates, instead of being a controul upon each other, are let loose upon the constitution. The absolute power of the crown, by the assistance of the hand-maid corruption, puts on the disguise of privilege. In the arrangement of hostility, the associated senate takes the lead, and illegal proclamation brings up the rear of oppression. The cabal advances upon us as an army once did upon a town—it displayed before it a multitude of nuns, and overawed the resistance of the besieged by the venerable appearance. So the cabinet puts forth the countenance of parliament, and marches against the constitution under the shelter of the hallowed frailty.

What has an Englishman now to hope for? He must turn from king, lords, and commons, and look up to God and himself if he means to be free. He sees the representation of the kingdom taken from the people—the law dispensed with—the obligation of a contract erased—the liberty of the subject invaded—the freedom of the press violated—by the House of Commons. By the House of Lords he sees liberty, property, and the freedom of the press assaulted likewise, and the decision[1] of justice in its last resort a question of influence, not of law. He beholds three supreme powers instead of one, and the constitution a separate plunder to each: or rather he beholds one estate possessed of the power by the profligacy of the rest.—If the cabinet should prevail, we shall not only be enslaved, but disgraced. The man and means that enslave us would be an additional dishonour.

AN ENGLISHMAN, *and Enemy to the Cabinet therefore.*

[1] In the case of lord Pomfret and Smith.

LETTER XCIII.[2]

For the Public Advertiser.

29 *March*, 1771.

TO THE RIGHT HONOURABLE THE LORD MAYOR, MR ALDERMAN OLIVER, AND MR ALDERMAN WILKES.

MY LORD AND GENTLEMEN,

As your conduct in regard to the business of the printers is become the universal subject of conversation, I will take the liberty of communicating my sentiments to you in this public manner. The business first opened with a printer's being taken up by virtue of the king's proclamation, and carried before Mr Alderman Wilkes (who was sitting as a justice of the peace for the city of London) in order to his being committed by virtue of that proclamation *only*. Mr Wilkes discharged the printer, and upon his complaint, verified upon oath, bound over the apprehender to appear at the quarter-sessions, and the printer to prosecute for an assault. In considering the legality of this proceeding I will totally lay out of the question the privileges and franchises of the city of London, as I think this part of the case does not require any assistance from them, though they may be very material in the subsequent proceedings as to the messenger of the House of Commons. The first consideration then will be, what was the force and effect of the proclamation? In Judge Dalison's Reports, which is a book of authority, p. 20, 2 and 3 Phil. and Mary, it is said, 'Note, It was agreed for law, that the king may make a proclamation to his subjects *quo ad terrorem populi*, to put them in fear of his displeasure, but not upon other pain certain, as to forfeit their lands or goods, or to make fine, or to suffer

[2] There is some doubt as to the genuineness of this as well as of the ensuing letter; but as they are illustrative of one of JUNIUS's most important letters, No. XLIV.; as they are excellently composed, and the subject has been in some measure recently agitated, the editor could not consent to suppress them. The quotation from Hawkins, inserted in the second letter, will be found adopted by JUNIUS as one of his notes to the letter just referred to.—EDIT.

imprisonment or other pain: for no proclamation shall make a law which was not before, but may confirm and ratify an ancient law, but not change it, or make a new one; yet diverse precedents were shown out of the Exchequer to the contrary, but the justices would not have any regard to them, *quod nota*.' And in the 12th Part of sir Edward Coke's Reports, which is a book of the highest authority, p. 74, in the 8 Ja. 1st (when prerogative ran high,) you will find a case called the case of proclamations, which, amongst other things, contains these resolutions: 'That the king by his proclamation or otherways cannot change any part of the common law, or statute law, or the customs of the realm.' 'That the king cannot create any offence by his prohibition or proclamation, which was not an offence before;' and that 'that which cannot be punished without proclamation cannot be punished with it.' That the king may by his proclamation admonish his subjects to keep the laws, but cannot make a thing unlawful which the law permits. And this, as the learned reporter observes, was well proved by the ancient and continual forms of indictments, for all indictments conclude, *contra legem et consuetudinem Angliæ*, or *contra leges et statuta, &c.* 'But never was seen an indictment to conclude *contra regiam proclamationem*.'

The learned reporter puts several instances of illegal proclamations, and amongst the rest this: An act was made by which foreigners were licensed to merchandise within London. H. 4. by proclamation prohibited the execution of it, and that it should be in suspense *usque ad proximum parliamentum*, which, says the learned reporter, was against law. Vide Dors. Claus. 8 Hen. 4. Proclamation in London. Here give me leave to make one observation, that any proclamation which infringes the ancient customs, privileges, and franchises of the city of London, infringes the statute laws of this land; for the customs, privileges, and franchises of the city of London are confirmed and established by various acts of parliament. The case still goes on, and says, that the law of England is divided into three parts, common law, statute law, and custom; 'but the king's proclamation is none of them.' And the learned reporter concludes in saying: 'after this resolution, no proclamation imposing fine and imprisonment was afterwards made;' and I have no doubt but the learned reporter thought that after this solemn decision no such proclamations would ever be issued in any future times: but, alas! he did not see the jurisprudence of the reign of George the Third.

I think I may call this case a solemn determination, because it was settled upon great deliberation by the two chief justices, the chief baron and baron Altham, upon conference betwixt the lords of the privy council and them. When the printer was brought before Mr Wilkes, Mr Wilkes acted as a magistrate, and in a judicial capacity; and had he imprisoned the printer, or any other subject of this kingdom, upon less evidence than the law required, he would have been highly criminal. And in a case where the liberty of the subject was concerned, it required the best and the highest evidence to justify the deprivation of that liberty. The law and rules of evidence 'are part of the common law of the land,' and the king cannot 'by his proclamation alter or suspend any of those laws or rules;' for that would be to alter the law of the land, and be in direct opposition to those respectable authorities I have cited. It is a law and a rule of evidence that no judge or justice can judicially take notice of a private act of parliament, much less can they judicially take notice of a private order of the House of Commons relative to two individuals only. Nay, if you add to it the sanction of the royal proclamation, and consider it as the act of the king and Commons, does it mend the matter? Does it give it greater authority in point of legal evidence than an act of parliament? I should be glad to be informed if the constitution has given such an arbitrary power of imprisonment to the

House of Commons as they claim, why it has not given them proper officers to enforce it without resorting to the king? Why has not the serjeant at arms a power to raise the posse comitatus? Why are not people punishable for not giving him assistance? And yet I dare say there is not a law-book that has attributed this power to him, nor did we ever hear of a person punished for refusing him assistance, which in my apprehension is a strong argument against the power claimed by the House of Commons against the printers. I should be glad, too, to be informed, what law, usage, or custom, has made the king the minister to authenticate the orders of the House of Commons, when it first began, and where it is to be found. By what writ or authority does the order come before the king to be authenticated, and where is it to be found? I never yet saw any statute, case, or even dictum to authorize this. And if the law has not intrusted the king with the power of authenticating the orders of the House of Commons by his royal proclamation, every judge and justice in this kingdom will do right in paying no regard to them under such a sanction. I have known trials where it has been necessary to give in evidence the proceedings and determinations of the House of Commons, which have always been done by proving them upon oath to be true copies of the journals by the witness who examined them. And though Mr Wilkes might be convinced in his mind that there was such an order as stated in the proclamation, he could not in his judicial capacity take notice of it, as it was not authenticated according to law. This doctrine has been illustrated in a modern instance. Did not the present chief justice of the King's Bench and his brethren refuse to take judicial notice of Mr Wilkes when he surrendered himself in order to the reversal of his outlawry, because he did not come properly authenticated before them, although I fancy they had very little doubt in their minds as to the identity of his person? So upon the same principles Mr Wilkes was well warranted in rejecting the proclamation; and that being out of the way, I think it will then be so clear, that Mr Wilkes would have done right in committing the assailant upon the printer, if he had not given bail, as not to admit of an argument.

I have two observations to make upon the late attempt of enforcing the order of the House of Commons by the royal proclamation. First, that the calling in the aid of the king upon that occasion was weakening the authority and dignity of the House, and tends to make the execution of the orders of that House dependent upon the pleasure of the king; and in the next place, such an interposition on the part of the king carries this appearance with it to the public, that it is not the independence, or the just liberties and privileges, of the commons of England that are thus anxiously sought to be preserved, but the gratification of the spleen and resentment (to say no worse of it) of the administration. I shall conclude this letter by saying, and thinking till I am better informed, that the late proclamation was an unwarrantable exertion of power, tending to mislead all judges and justices throughout England, and to put them upon imprisoning an English subject contrary to law, and the rules of evidence, which make part of the law of this kingdom; and therefore I for one applaud the conduct of Mr Wilkes in this instance. In another letter I shall deliver my sentiments as to the proceedings of your Lordship, Mr Alderman Oliver, and Mr Alderman Wilkes, when the messenger of the House of Commons was brought before you. I have forborne to take this business up on the same grounds that Mr Morris has done, as it would only be a repetition of what he has very judiciously before transmitted to the public.[1] It is sufficient

[1] Robert Morris, Esq. was a member of, and secretary to, the Bill of Rights Society. At their meeting in order to discuss the question of the arrest of the printers, he thus addressed the chairman; and it is to this speech the writer of the above letter refers.

'Mr Chairman,

'The proclamation issued for apprehending the

for me to say that I think he has sufficiently demonstrated the illegality of the order of the House of Commons; I only meant to give additional strength to his observations; and if any man will coolly consider the whole case, argument will continually crowd upon his mind to evince the illegality and injustice of the order and royal proclamation.

I am,
My Lord and Gentlemen,
Your most humble servant,
G. W.

LETTER XCIV.

For the Public Advertiser.

8 *April*, 1771.

TO THE RIGHT HON. THE LORD MAYOR OF LONDON, MR ALDERMAN OLIVER, AND MR ALDERMAN WILKES.

My Lord and Gentlemen,

In my first letter I submitted my reasons why Mr Wilkes could not in his judicial capacity take notice of the order of the House of Commons, merely under the sanction of the royal proclamation. If I was right in that, it was totally immaterial whether the order of the House of Commons as to the printers was legal or illegal; for in either case Mr Wilkes's conduct was agreeable to law. And in either case, the expunging of the proceedings taken before him, be it by what order it may, was a flagrant violation of the law, and a very dangerous obstruction to the execution of criminal justice. I will next consider the subsequent proceedings as to the messenger of the House of Commons, who was brought before you, as magistrates of the city of London, and charged upon oath with having committed a breach of the peace, in assaulting and imprisoning one of your citizens. The messenger justified the fact under a warrant signed by the speaker of the House of Commons, which I shall state more particularly hereafter, but at present it is not necessary.

This justification necessarily brought the validity of the speaker's warrant *collaterally* in question before you. Some people, who have in general applauded your conduct in this business, have said that you went too far in signing a warrant of commitment of the messenger, and in obliging him to give bail. As you deemed the speaker's warrant illegal, you could not do otherwise; it was the necessary consequence and judgment upon the complaint before you. You would have been guilty of a breach of duty, as magistrates, if you had adjudged the messenger guilty of a breach of peace, and not have committed him, or bound him over to answer the offence in a due course of law. One of the greatest privileges assumed by either House of parliament, is that of having their privileges (as they call them) examined and inquired into in their own Houses only. And if this can be established as the law of England, any subject may be deprived of his life, liberty, and property, by an arbitrary vote of either House, under the name of privi-

printers is, on all hands, I think, allowed to be illegal. I do not believe that there is in the whole kingdom a lawyer's clerk, who does not know it to be equally repugnant to the spirit and letter of the law and the constitution. The law, though not so well known, is as clear against commitments by the House of Commons. They have nothing to support their pretensions but their own vote, which certainly is not binding on any but themselves; an act of the three branches of the legislature being the only authority that is, besides the common law, acknowledged by England as valid. Matters being thus circumstanced, I am sorry to find that such magistrates of London, as belong to this Society, do not afford protection to the printers, and rescue them from lawless violence. My concern for this neglect, this fear, or this tergiversation, is the greater, that, if the officers of the House of Commons, or any other person but a minister of this city properly authorized, takes these obnoxious men into custody, the rights of the city are violated; it being legally impossible for king, lords, and commons, to seize any citizen of London without the consent of its own magistrates. Were they even to make an act for that purpose, it could not have any force; because the act made in favour of the city, in the reign of William and Mary, ought to be considered as a constitution, and as irreversible as Magna Charta; for indeed it is the Magna Charta of the city.'—EDIT.

lege of parliament. It will be said that this is a foreign presumption, and that we cannot suppose that those respectable characters in the Houses of parliament would invade the liberties of the people. I must own I think from some late exertions, there is no room left for presumptions; but be that as it may, I think the liberties of England ought to stand upon a more solid basis than presumptions, or the arbitrary voice of one branch of the legislature only.

The cases to prove that the assumed privileges of either House of parliament are not examinable elsewhere than in their own Houses, are lord Shaftsbury's case, 29 Car. II. in B. R. The Queen v. Paty & alias, 3 Ann. in B. R., and the Hon. Alexander Murray's case, 24 Geo. II. in B. R. In all cases adjudged upon constitutional points, regard should be had to the temper of the times when they happened, and the characters, connexions, and dependencies of the judges. If these circumstances be attended to in lord Shaftsbury's case, I am very sure it will be found to be a precedent of no weight or authority. Lord Shaftsbury was a man exceedingly obnoxious to king Charles the Second, having in the House of Lords violently opposed that arbitrary prince, and his attempts to introduce Popery into this kingdom. The king's designs were no secret; and the independent members in the House of Commons had meditated means to prevent the execution of them. The king, to frustrate this, prorogued the parliament for fifteen months within a few days, being the longest prorogation which had been then known. The king had also found means, by pensioning many of the members of the Lower House, to gain a considerable influence in it; and the dissolution of parliament was then (as it is now) a thing earnestly to be sought for. Upon the meeting of the parliament, after this long prorogation, a question was propounded in the House of Lords by the country party, whether it was not actually dissolved. Lord Shaftsbury, and others of that party, argued and maintained upon an old statute of king Edward the Third, then in force, which directed that the king should call a parliament once a year, or oftener if need should be, that the parliament was actually dissolved; but the court party strenuously opposed this, knowing that the eyes of the people were opened, and that a new parliament would not be favourable to the king's designs.

This question had made a great noise in the kingdom, and by way of silencing the people, the king's party in the House of Lords voted lord Shaftsbury, lord Salisbury, and lord Wharton, who had maintained that the parliament was dissolved, guilty of a contempt of that House, and sent them to the Tower: that they were sent to the Tower to gratify the king's vengeance is apparent from the words of the warrant of commitment, for it directs them to be kept in safe custody *during his Majesty's pleasure*, and the pleasure of the House, for their high contempt committed against that House. Lord Salisbury and lord Wharton submitted to the House, and were discharged; lord Shaftsbury at first refused it, and sued out his Habeas Corpus, and was brought before the King's Bench with the warrant of his commitment.

The warrant was glaringly illegal and unconstitutional, and seems to be admitted by all the judges in that case to be so, particularly, Wylde, justice, said, the return no doubt was illegal. This was a critical case: in fact, it was the king's cause, and the judges to determine it at that time held their offices during the pleasure of the crown, so that they were reduced to an awkward dilemma; however, they found means to extricate themselves from it by determining, that though the commitment was illegal, they could not examine into it, and so lord Shaftsbury was remanded; and the three puisne judges on the case of the Queen v. Paty & alias, as also the judges in Mr Murray's case, seem implicitly to have followed the determination in lord Shaftsbury's case, and therefore if that determination be overthrown, the other two must sink of course. In the case of the Queen v. Paty & alias, 3 Ann., the defend-

ants having been committed to Newgate by a warrant of the speaker of the House of Commons, signed Robert Harley, speaker (a fatal name to liberty), were brought by Habeas Corpus into the Queen's Bench, and prayed to be discharged upon the illegality of the commitment. The three puisne judges refused to interfere upon the authority of lord Shaftsbury's case, and the prisoners were remanded, contrary to the opinion of lord chief justice Holt, one of the ablest judges that ever presided in that court. He was of opinion, that what the House had called a breach of privilege was not a breach of privilege, nor could their judgment make it so, nor conclude that court from determining contrary; and he says, 'When the House of Commons exceed their legal bounds and authority, their acts are wrongful, and cannot be justified more than the acts of private men: that there was no question but their authority is from the law, and as it is circumscribed, so it may be exceeded. To say they are judges of their own privilege and their own authority, and nobody else, is to make their privileges to be as they would have them. If there be a wrongful imprisonment by the House of Commons, what court shall deliver the party? Shall we say there is no redress; and that we are not able to execute those laws upon which the liberty of the Queen's people subsists? To conclude, all courts are so far judges of their own privileges, and entrusted with a power to vindicate themselves, that they may punish for contempts; but to make them, or any court, final judges of them, exclusive of everybody else, is to introduce a state of confusion, by making every man judge in his own cause, and subverting the measures of all jurisdictions.' What says another learned lawyer, Mr Serjeant Hawkins, in his Pleas of the Crown, p. 110?—In commenting upon lord Shaftsbury's case, he says, 'But if it be demanded in case a subject should be committed by either of those Houses for a matter manifestly out of their jurisdiction, what remedy can he have? I answer, that it cannot well be imagined that the law, which favours nothing more than the liberty of the subject, should give us a remedy against commitments by the king himself, appearing to be illegal, and yet give us no manner of redress against a commitment by our fellow-subjects, equally appearing to be unwarranted.' To this I may add the dictum of the present speaker of the House of Commons when counsel,[1] who is reported to have said, that had he the honour to preside in any court of justice, he should no more regard the resolutions of that House, than the resolutions of a set of drunken porters. Some apology may be made for the judges in the case of the Queen v. Paty & alias. They might connive at a stretch of power in the House of Commons, for fear of weakening the dignity and independence of the House: and if ever that can be justifiable, it was so then, because the House was truly honourable and independent; for no placeman or pensioner was then capable of sitting in that House. Very different is it at this time: the House swarms with placemen and pensioners, and the people want a barrier to guard them from the invasions of their own representatives.

But if such a dangerous position is to be established as that, though the order of the House be apparently illegal, no court or magistrate can give redress, a door will be opened through the House of Commons to elude all those excellent laws which our ancestors have procured for the preservation of our liberties, and to overturn the fundamental principles of the constitution. But let us hope that by such weak authorities as the three cases cited, the liberties of England are not to be determined. In another letter I will trouble you with my sentiments upon the privileges of the House of Commons, and the warrant of commitment.[2]

I am,
My Lord and Gentlemen,
Your most humble servant,
G. W.

[1] Sir Fletcher Norton.—EDIT.
[2] This promised letter did not appear, though

LETTER XCV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 9 *April*, 1771.

THE arguments used in defence of the late proceedings of the House of Commons would have a considerable weight with me, if I could persuade myself that the present House of Commons were really in that independent state in which the constitution meant to place them. If I could be satisfied that their resolutions were not previously determined in the king's cabinet, that no personal resentment was to be gratified, nor any ministerial purpose to be answered, under pretence of asserting their privileges, I own I should be very unwilling to raise or encourage any question between the strict right of the subject, and that discretionary power which our representatives have assumed by degrees, and which, until of late years, they have very seldom abused. While the House of Commons form a real representation of the people, while they preserve their place in the constitution, distinct from the Lords, and independent of the crown, I think to contend with them about the limits of their privileges would be contending with ourselves.[1] But the question will be materially altered, if it should appear that instead of preserving the due balance of the constitution, they have thrown their whole weight into the same scale with the crown, and that their privileges, instead of forming a barrier against the encroachments of the other branches of the legislature, are made subservient to the views of the sovereign, and employed, under the direction of the minister, in the persecution of individuals, and the oppression of the people. In this case it would be the duty of every honest man to stand strictly to his right;—to question every act of such a House of Commons with jealousy and suspicion, and wherever their pretended privileges trenched upon the known laws of the land, in the minutest instance, to resist them with a determined and scrupulous exactness. To ascertain the fact, we need only consider in what manner parliaments have been managed since his Majesty's accession.

He found this country in that state of perfect union and happiness which good

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the same subject is pursued in the following letter, as well as under the more dignified signature of JUNIUS, and occurs in the letters with this subscription, No. XLIV.

To the arguments and opinions both there and here cited upon the authority of royal proclamations, and powers or privileges of parliament, the editor will, on this occasion, take the liberty of adding the following decision on the same point by that great and constitutional judge, lord chief justice Holt.

[1] 'In the reign of queen Anne, in 1704, several freemen of the borough of Aylesbury had been refused the liberty of voting at an election for a member of parliament, though they proved their qualifications as such: the law in this case imposes a fine on the returning officer of £100 for every such offence. On this principle they applied to lord chief justice Holt, who desired the officer to be arrested. The House of Commons, alarmed at this step, made an order of their House to make it penal for either judge, counsel, or attorney, to assist at the trial; however, the lord chief justice, and several lawyers, were hardy enough to oppose this order, and brought it on in the King's Bench. The House, highly irritated at this contempt of their orders, sent a serjeant at arms for the judge to appear before them; but that resolute defender of the laws bade him, with a voice of authority, begone; on which they sent a second message by their speaker, attended by as many members as espoused the measure. After the speaker had delivered his message, his Lordship replied to him in these remarkable words: "Go back to your chair, Mr Speaker, within these five minutes, or you may depend on't I'll send you to Newgate: you speak of your authority, but I tell you I sit here as an interpreter of the laws, and a distributor of justice, and, were the whole House of Commons in your belly, I will not stir one foot." The Speaker was *prudent* enough to retire, and the House were equally prudent to let the affair drop.'—EDIT.

[1] 'The necessity of securing the House of Commons against the king's power, so that no interruption might be given either to the attendance of the members in parliament, or to the freedom of debate, was the foundation of parliamentary privilege; and we may observe in all the addresses of new appointed speakers to the sovereign, the utmost privilege they demand is liberty of speech and freedom from arrests. The very word privilege means no more than immunity, or a safeguard to the party who possesses it, and can never be construed into an active power of invading the rights of others.

government naturally produces, and which a bad one has destroyed. He promised to abolish all distinctions of party, and kept his word by declaring lord Bute his favourite and minister, by proscribing the whole Whig interest of England, and by filling every place of trust and profit under his government with professed Tories, notorious Jacobites, and Scotchmen of all denominations. He abolished no distinctions but those which are essential to the safety of the constitution. King, Lords, and Commons, which should for ever stand clear of each other, were soon melted down into one common mass of power, while equal care was taken to draw a line of separation between the legislature and the people, and more particularly between the representative and the constituent body of the commons. The Lower House distinguished themselves by an eager compliance with every measure that could be supposed to gratify the king personally, or to humour the vindictive passions of his royal mother. [When Mr Wilkes was to be punished, they made no scruple about the privileges of parliament; and although it was as well known as any matter of public record and uninterrupted custom could be, *that the members of either House are privileged, except in case of treason, felony, or breach of the peace*, they declared without hesitation *that privilege of parliament did not extend to the case of a seditious libel;* and undoubtedly they would have done the same if Mr Wilkes had been prosecuted for any other misdemeanour whatsoever.] It was upon that occasion that sir Fletcher Norton, the patron of privilege, declared in the House, that, if he were a judge in Westminster Hall, he should regard a vote of the House of Commons no more than a resolution of a company of drunken porters.—To show us his politeness, he preserves his style;—to show us his morality, he changes his opinion.

The House of Lords have not been less pliant in surrendering the rights of the peerage, whenever it has suited the purposes of the cabinet. They joined heartily in the vote above-mentioned, and when they were called upon to support that enormous violation of all law, truth, and reason, which was perpetrated by the House of Commons in the case of the Middlesex election, they gave up that reciprocal check and controul by which the balance between the three estates can alone be preserved, and were content to bury their own privileges under the ruins of the constitution.—The influence of the crown over the resolutions of both Houses continues to operate with equal force, though now it assumes a different appearance. The liberty of the press, besides giving a daily personal offence to the Princess of Wales, must always be formidable, therefore always odious, to such a government as the present. Prosecutions had been attempted without success. The privilege of parliament which had been so shamefully surrendered to answer one ministerial purpose, must now be as violently asserted to answer another. [The ministry are of a sudden grown wonderfully careful of privileges which their predecessors were as ready to invade. The known laws of the land, the rights of the subject, the sanctity of charters, and the reverence due to our magistrates, must all give way, without question or resistance, to a privilege of which no man knows either the origin or the extent. The House of Commons judge of their own privileges without appeal:—they may take offence at the most innocent action, and imprison the person, who offends them, during their arbitrary will and pleasure. The party has no remedy;—he cannot appeal from their jurisdiction; and if he questions the privilege, which he is supposed to have violated, it becomes an aggravation of his offence. Surely, Sir, this doctrine is not to be found in Magna Charta. If it be admitted without limitation, I affirm that there is neither law nor liberty in this kingdom. We are the slaves of the House of Commons, and, through them, we are the slaves of the king and his ministers.]

The mode in which the House have proceeded against the city magistrates can

neither be reconciled to natural justice, nor even to the common forms of decency.—They begin with shutting their doors against all *strangers*, the usual name by which they describe their constituents. Some of their debates appear in the public papers. The offence, if any, is certainly not a new one. We have the debates as regularly preserved as the journals of parliament;[1] nor can there be any honest reason for concealing them. Mr Onslow however thinks it necessary to persecute the press, and the House of Commons is mean enough to take part in his caprices. Lord North, who had so lately rewarded the reverend Mr Scott with the best living in the king's gift, for heaping invectives equally dull and virulent upon some of the most respectable characters in the kingdom, is now shameless enough to support a motion against the liberty of the press with the whole influence of the crown. [That their practice might be every way conformable to their principles, the House proceeded to advise the crown to publish a proclamation universally acknowledged to be illegal. Mr Moreton publicly protested against it before it was issued; and lord Mansfield, though not scrupulous to an extreme, speaks of it with horror. It is remarkable enough that the very men who advised the proclamation, and who hear it arraigned every day both within doors and without, are not daring enough to utter one word in its defence, nor have they ventured to take the least notice of Mr Wilkes for discharging the persons apprehended under it.]

The pretended trial of the lord mayor and Mr Oliver resembled the dark business of a Spanish inquisition, rather than the fair proceedings of an English court of judicature. These gentlemen, as magistrates, had nothing to regard but the obligation of their oaths, and the execution of the laws. If they were convinced that the speaker's warrant was not a legal authority to the messenger, it necessarily followed that, when he was charged upon oath with a breach of the peace, they *must* hold him to bail. They had no option. Yet how have they been treated? Their judges had been partially summoned, by Treasury mandates, pressing attendance, and demanding a vote of condemnation. They were tried and condemned at midnight, without being heard, by themselves or their counsel, on the only point on which their justification could possibly depend.—In short, Sir, a question, strictly of jurisdiction, was referred to numbers, and carried like a common ministerial measure. Their next step was to force the lord mayor's clerk, by the terror of a prison, to erase the record of a judicial proceeding, held regularly before the chief magistrate of the city. Lord North himself made the motion, and declared that the constitution could not be safe, until it was carried into effect. They then resolved that all prosecutions for the assault (which, though charged upon oath, they call a pretended one) should be stopped. I wish that grave and sober men would consider, independently of the other questions before us, how far this particular precedent may extend. If the House of Commons may interpose, in a single instance, between the subject, who complains, and the laws, which ought to protect, I see no reason why they may not, at any time, by their vote, stop the whole course of justice through the kingdom. Besides the injury done to the subject, their granting a *noli prosequi* is in effect an encroachment upon the royal prerogative.[2]

Many circumstances of insult have been mixed with these measures of violence.—

[1] Grey's Collection of Debates, in ten volumes, was published under the direction of the late Arthur Onslow, Esq.

[2] The following is a copy of the minutes of the House of Commons, of March 20, 1771, here referred to.

'That James Morgan, clerk of the lord mayor, do at the table expunge the minutes taken before the lord mayor, relative to the messenger of this House, giving security for his appearance at the next general quarter-sessions of the peace; and he accordingly at the table expunged the same.

'Motion made, and question proposed,

'That no other prosecution, suit, or proceeding, be commenced, or carried on, for, or on account of, the said pretended assault, or false imprisonment.

'It passed in the affirmative.'—EDIT.

Their pretended lenity to the lord mayor, which he nobly refused to accept of, amounted only to an offer of the garrets of the House for the place of his confinement instead of the Tower; and, though it be of less moment, it is still worth observing, that the indignity offered to the city is aggravated by the time expressly chosen for imprisoning their chief magistrate. Not content with interrupting all city business, they fixed upon Easter, because it is the chief city festival, and found a contemptible gratification in putting a stop to the amusements usual at this season, and depriving a public charity of the customary collections, which they knew must be reduced to nothing by the absence of the lord mayor.

Nothing remained but to keep up a terror and alarm through the kingdom by appointing committees of inquiry. This double star-chamber was moved for long after midnight, and lists partially sent round by the messengers of the Treasury.—Where will these arbitrary, iniquitous proceedings end? The ministry, I doubt not, have a plan prepared, but it is such a one, as they neither dare openly avow, nor uniformly adhere to. One day they appoint committees of inquisition to sit *de die in diem*;—the next thing we hear is that the committees are adjourned, and the members of them dispersed into the country.—After advising the king, very unnecessarily, to go to parliament, they come to him, while his equipage is in waiting, contradict their own advice, and endeavour to stagger his resolution, at the moment when he has most occasion for it. They alone are answerable for all the indignities heaped upon the king's person, since they could not but foresee, that the people would take the earliest opportunity of resenting the imprisonment of their magistrates.

When the Princess of Wales was named in the House of Commons, where was that zeal which some people boast of for their royal master? The mother of their sovereign was branded by name, as the authoress of all our calamities, and the assertion passed without censure or contradiction.

Sir, I most truly lament the condition to which we are reduced; and the more so, because there is but one remedy for it, and that remedy has been repeatedly refused.—A dissolution of the parliament would restore tranquillity to the people, and to the king the affections of his subjects: the present House of Commons have nothing to expect but contempt, detestation, and resistance. This violent state of things cannot long continue. Either the laws and constitution must be preserved by a dreadful appeal to the sword; or (what probably is intended by the present system of measures), the people will grow weary of their condition, and surrender every thing into the king's hands, rather than submit to be trampled upon any longer by five hundred of their equals.

A WHIG.[1]

[1] The passages in this letter which are placed within brackets, are retranscribed by the author, and added as notes to his Letter XLIV., published in his own edition under the signature of JUNIUS, where the reader will still find them.

The messengers were indicted in defiance of the resolutions of the House of Commons, and true bills were found against them, but further proceedings were stopped by the attorney-general entering a *noli prosequi*. As the arguments urged by Mr Adair, who was of counsel for the printers, on showing cause against this measure, are extremely curious, and not generally known, we shall subjoin them for the information of the reader, and for the better elucidation of this and other letters upon the subject of this important dispute.

Mr Adair, in pursuance of notice, attended the attorney-general, Mr De Grey, on the 17th of May, 1771, and after the indictment and an affidavit of the defendant had been read, spoke as follows:—

'It requires no arguments to show, that though the entering a *noli prosequi* on prosecutions at the suit of the king only, is an undoubted prerogative of the crown; yet like all other prerogatives, it is intended for the general good of the subject, and not for the hindrance or interruption of public justice.

'It is indeed a discretionary power, but it is to be exercised not according to an arbitrary but a sound and legal discretion. It is for this reason, Sir, that it is not left to the wanton caprice of a favourite, or the arbitrary will of a minister, to be executed at pleasure, but it is deposited as a public trust in the hands of the attorney-general, that the exercise of it may be directed by his knowledge of the laws and constitution of the kingdom.

LETTER XCVI.

For the Public Advertiser.

15 *April*, 1771.

TO THE EARL OF SUFFOLK.

MY LORD,

THE singularity of your late conduct seemed to claim some attention from the public, which you do not, I presume, think you have entirely escaped: but since by their silence they either think you superior to shame, or below the dignity of revenge, I cannot help giving to them what I owe on this occasion, which, had I only considered the gratification of a passion, I

'Many reasons may be suggested why this power should be most sparingly exercised in cases of prosecution by indictment.

'Though the king's name is necessarily used as the general guardian of the laws, there is another party concerned in indictments, the injured party, who is for the most part the real, as the king is the nominal prosecutor.

'The practice too of entering a *noli prosequi* on indictments is but of modern date.

'In the case of Goddard and Smith in the 6th Mod. 262, Holt, chief justice, said, "He had known it thought very hard that the attorney-general should enter *noli prosequi* upon indictments, and that it began first to be practised in the latter end of king Charles the Second's reign; and he ordered precedents to be searched, if any were, in Mr Attorney Palmer, or Nottingham's time;" and at another day he declared, "that in all king Charles the First's time there was no precedent of a *noli prosequi* on an indictment.'

'I therefore submit to you, that (sitting here to determine upon the application of a power so recent in its commencement, and of which we are told by so respectable an authority, that it has been looked upon as a hardship in itself,) you will require the most cogent reasons to induce you to exert it upon this or any other occasion.

'Those reasons must arise either from the conduct of the prosecutor, the personal situation and circumstance of the defendant, or the subject matter of the prosecution.

'I do not find from the affidavit of the defendant, which is the only information I have had of the grounds of his application to you, that he complains of any particular hardship or oppression, arising either from unnecessary delay, unusual rigour, or any other misconduct in the prosecutor: he must therefore expect the extraordinary interposition of the prerogative in his behalf, in this instance, either from something peculiarly favourable in his personal situation, which entitles him to the protection of the crown, or from the charge against him being totally groundless and unfit to be discussed in a court of justice.

'As to the first of these points, if we consider Mr Whittam not being a magistrate's constable, or any other officer intrusted with the execution of the laws, but acting merely in a private capacity, as wantonly assaulting one of the king's subjects, in his own house, who was not even accused of any crime, and violently attempting to deprive him of his liberty; if, I say, we consider him in this point of view, he can hardly be thought a fit object of the royal favour and protection: but if we view him in the light in which he has thought proper to place himself by his own affidavit, he will be found, if possible, still less entitled to that exertion of prerogative for which he has applied. He tells you, Sir, that he is a messenger of the House of Commons; that in that character, and acting under the express orders and authority of that House, he did the fact with which he is charged in the indictment. Does he mean, Sir, that you should consider this as a reason for granting a *noli prosequi*? When was it heard before that an exertion of prerogative was necessary to support the authority and privileges of the House of Commons? When was that House known to sue to the servants of the crown to screen their officers from the laws, or protect them from the indignation of an inconsiderable printer?

'I believe when any of their privileges have been really invaded, they have never been found wanting either in power or inclination to support them; and I am satisfied that if the House were now sitting, Mr Whittam would not have dared to make an application so manifestly tending to expose their privileges and authority to ridicule and contempt. But, Sir, I am persuaded that the honour and dignity of the House of Commons are safe in your hands, and that you will suffer no act to proceed from you that can throw even an oblique imputation upon them.

'If there is for these reasons nothing in Mr Whittam's personal situation, or circumstances, which can entitle him to an extraordinary interposition in his favour, it remains only to be considered whether any motive can be suggested from the subject-matter of the prosecution to induce you to put a stop to it by an exertion of the royal prerogative.

'The charge set forth in the indictment, and not denied by the defendant's affidavit, is for assaulting and imprisoning the prosecutor, Mr Miller. It will not be contended that there appears any thing upon the face of the indictment oppressive, illegal, unfit to come before a court of justice, or which affords any motive whatsoever for granting the *noli prosequi*; the reason, therefore, if any, must arise from the matters set forth by the defendant's affidavit. The affidavit states, that the defendant is one of the messengers of the House of Commons; that the speaker's warrant for apprehending the prosecutor was issued by order of the House, and that, in consequence thereof, the defendant, to whom the warrant was delivered, did make the arrest

should have sooner done. I own I now do it with some distrust of my own abilities, in doing justice to the undertaking. Your Lordship must be aware that it is generally

with which he is charged in the indictment, and that he used no violence in so doing, other than seizing Mr Miller by the arm as is usual in arrests.

'I apprehend it is not incumbent upon me here to consider, as I submit it is not competent for you, Sir, to determine in this summary manner, whether the matters here set forth do or do not amount to a good defence, or legal justification. We are not now to try the cause; but you, Sir, I am confident, will not interpose the prerogative of the king to prevent our trying it in the regular course before the proper jurisdiction, unless the prosecution, as it now appears before you, is so clearly and manifestly groundless, and unfit for discussion in a court of law, that it would be an abuse and mockery of public justice to bring it to a trial. If the authority under which Mr Whittam alleges himself to have acted, was not competent to authorize the fact which he committed, or if that authority never was in fact delegated to him, in either of those cases the prosecution is well founded in law. If any doubt or question can be raised on either of these points, it is not so clearly groundless as to justify the putting a stop to it by prerogative, before those questions are legally determined.

'It might well be questioned, whether the House of Commons has any power, by the laws or constitution of this kingdom, to authorize the issuing of such a warrant as that under colour of which Mr Miller was apprehended.

'It might be said, and supported too by the greatest authorities, that they cannot by any act of theirs singly, create any new power or privilege to themselves. That there was a time when they evidently neither possessed nor claimed any such power as that in question; and when the authority of an act of parliament was thought necessary to punish even so undeniable a breach of privilege, as the assaulting the person of a member attending upon his duty in parliament. The statute, Sir, which I here allude to, is the 11th of H. VI. c. 11, which was made to extend the provisions of 5th H. IV. c. 6, for punishment of assaults on the servants of members of parliament when attending on their masters in their duty, to the persons of the members themselves. It might be urged, that the power in question has never been given them by any act of parliament, and that if there ever was a time when they did not possess it, they can by no other means have legally acquired it. All this and much more might be said, if it were necessary to dispute the authority of the House of Commons to issue the warrant for the commitment of Mr Miller; but it is sufficient for me at present to contend, that whether they had or had not the power, they never did in fact give the defendant any authority whatsoever to make the arrest in question.

'The warrant, Sir, under colour of which Mr Whittam acted, is a warrant purporting to be issued in pursuance of an order of the House of Commons, and signed Fletcher Norton, speaker. But, Sir, the order of the House, as it is recited in the warrant itself, is for taking Mr Miller into the custody of the serjeant at arms, or his deputy; and Mr Whittam is described in the direction of the very same warrant to be neither the one nor the other of these. No authority whatsoever can be conveyed to Mr Whittam by virtue of an order, in which he is not named, and which particularly points out certain persons, in contradiction from all others. This warrant, therefore (so far as it relates to Mr Whittam), appears to be issued by the speaker, merely of his own authority, unauthorized by any order of the House of Commons. Has the speaker any power to commit, unless he derives it from the orders of the House? If he has not, which must be granted, he is bound strictly and literally to pursue that order which creates his authority: as far as he exceeds it, he acts without authority himself, and most clearly can convey none to any other person. Mr Whittam therefore, in this case, acting without any legal authority whatever, in the arrest of the prosecutor, a prosecution grounded upon that cannot be considered as totally void of foundation. But supposing for a moment that the prosecution was frivolous and ill-grounded, I submit that that alone would not be a reason for the extraordinary interposition of the crown. If it would in this case, it must in every other; every defendant who fancied himself unjustly prosecuted would apply for protection to the crown; and almost every indictment must first be tried by the attorney-general before it could come regularly into a court of justice. I presume you will conceive it was not for these purposes that this prerogative was vested in your hands; and that there must appear some strong reasons peculiar to the case to show why it is improper and unfit for public discussion, besides merely that of the prosecution being ill-grounded, to induce you to make this extraordinary interposition. I submit to you, Sir, with great deference, that there appears no such reasons in this case. Every motive of policy and prudence seems to weigh on the other side. The question to be tried is the most important that can well be conceived. The privileges of the House of Commons on the one side, and the liberties of the people of England on the other, are said to be materially affected. Perhaps indeed it might have been wished that this great question had never been started, or brought to the public view, by issuing the warrant in question. But when it has been already so much agitated, and has engrossed the attention of the public, it seems necessary, for the satisfaction and quiet of the kingdom, that it should proceed to a solemn and legal determination in a court of justice. If, therefore, Sir, the House of Commons had no authority by law to authorize Mr Whittam to make the arrest upon the prosecutor, or if, in fact, no authority was delegated to him, in either of these cases he has illegally assaulted an

a matter of some degree of delicacy to undertake the discussion of any part or system of politics, as it is of some difficulty to avoid the share of imputations which are

innocent man, and deprived him of his liberty; and the entering a *noli prosequi* would be an obstruction of public justice. If on the other hand the House of Commons had a legal authority, and regularly delegated the execution of it to Mr Whittam, the public should be convinced of it by a discussion and determination in a court of law; and the granting the *noli prosequi* in that case, would tend to mislead many people into an opinion that it was done to screen an offender from the laws, who had no legal justification in a court of justice: I therefore submit to you, Sir, for these reasons, that you, as attorney-general, will not think proper in this case to grant a *noli prosequi*.'

Mr Attorney-General. 'Do you produce any evidence?'

Mr Adair. 'We offer no other evidence than what appears in the affidavit of the defendant himself and the warrant to which it refers.'

Mr Attorney-General. 'You are extremely right in this, that it is not at all a fit thing for the attorney-general to try either the fact upon which the defendant is indicted, or to determine the law. The only question is this, whether it is fit for the king to interpose as the prosecutor of this offence? That, I take it, should be the ground of your argument, and the point upon which I expected satisfaction. The affidavit itself states the messenger of the House of Commons to be acting under the authority of the House of Commons; and if this was the only way in which that question could be brought before a court of law, I should be obliged to give an opinion whether it ought, or whether it ought not.

'The only point I have to consider is, whether it be fit for the name of the crown to appear in prosecuting one who appears to be the messenger of the House of Commons, and to be armed by the authority of that House for doing the very thing he has done under the orders of the House? I don't mean to pass over the objection which has been made, that the speaker of the House, by orders of the House, directing the warrant to a person not named in such order, whether that order extends only to arresting the prosecutor, and taking him into the custody of the serjeant at arms, or his deputy: I dare say I take Mr Adair's objection perfectly right; the order of the House is for taking him into the custody of the serjeant at arms, nor his deputy; and the objection is, that the person in whose custody the prosecutor was originally taken, is neither the serjeant at arms, nor his deputy; and the doubt you raise upon it is, whether the speaker of the House of Commons can authorize another person to arrest and bring him into the custody of the serjeant at arms, or his deputy; for the serjeant at arms, nor his deputy, is the proper and the only custody I know of belonging to the House, and the gentleman's argument is, that in point of the arrest it cannot be made without the serjeant, or deputy serjeant, with respect to the orders of the House of Commons, and the direction of the warrant by the Speaker, which is a question of law to be sure. It has been constant in point of practice for the messengers to be employed (in the orders of the House, and for other than messengers to be employed) upon the very same occasion. There is nothing so constant as the messengers all to be employed: there are some few instances where more than the messengers have been employed upon these occasions. The difficulty upon it was, whether they should or not be inserted in the warrant; or whether, if they were not inserted in the warrant, it could be construed under the general description of the serjeant at arms, or his deputy; or whether that authority could go to warrant those which might be appointed by the serjeant at arms, or his deputy, upon that occasion. It was thought more proper to make a warrant directed to the person to be employed, though it was mentioned in the orders of the House that the custody was to be that of the serjeant at arms, or his deputy, according to the usual form of their orders.

'But the only point for me to consider is, how far it is fit the king should be the prosecutor of a servant of the House of Commons, in the execution of a privilege which they now claim, which they have claimed for ages, and have been in the possession of for ages, and that the king should be brought into a proceeding against the servant of the House as a prosecutor. The *noli prosequi* is called a prerogative right of the crown; it amounts to no more than this, that the king makes his election whether he will continue or not to be the prosecutor upon an indictment, and the *noli prosequi* is entered in the same words in case of the crown as of a private person. The entry upon the record is exactly the same by the attorney-general as by a private plaintiff upon record in any civil suit.

'I did expect that you would have given me some reason for entertaining an opinion, that it was decent and fit for the crown to continue and stand forth as a prosecutor of the messenger of the House of Commons, acting under their direction, in maintenance of a privilege they have claimed and held so long. That is the only point I put it upon. The affidavit, as made by the defendant, makes it necessary to consider him as an officer of the House.

'I did not indeed expect any disputes upon it, or that it would be put upon so small a ground: the reason I expected was, that it was becoming an officer of the crown, in the name of the crown, to continue a prosecution by the crown, against the messenger of the House of Commons, acting under the authority of the House of Commons.'

Mr Adair expressing a doubt whether it would be proper for him to make any reply to this, the attorney-general said he should be glad to hear him.

Mr Adair. 'With regard to what you have

indiscriminately thrown on all who submit their anonymous opinions to the public. Though these reproaches may fall on those whose names would give some credit to their assertions, yet while they adopt the common method of hirelings, their writings must expect the same treatment. With whatever circumstances any object of my notice might be attended, I should expect criticism, and I hope I could bear it with temper. I cannot however help considering it as a lucky circumstance, that the first production I ever ventured to give to the public, excludes the possibility of any imputation, as the actions I shall condemn admit not the possibility of defence. Before I arraign your subsequent conduct, which I mean to do pretty freely, I must admire the simple *candour* with which you have declared yourself without principle. In the most destructive administrations, composed of men perhaps more profligate than your Lordship, care has generally been taken to save, in some measure, appearances with the public; and although the destruction of this constitution has been pretty clearly their object, they have never ventured openly to avow it: even the duke of Grafton did not condemn his own principles, though he avowed and gloried in such measures as no man with principle could undertake. Your Lordship is the first man who ever saved others the trouble of accusation. Your protests must remain

suggested, it is true the entry upon record is the same in the case of the crown as of a private person; yet in a prosecution by indictment the crown is not solely concerned. To make the case exactly similar, it should be an information *ex officio*, or any other really and truly a crown prosecution, and then the entering *noli prosequi* upon that, would be the same as upon private actions. But in the case of indictments, the king being in fact a nominal prosecutor, though his name is necessary, yet the injured party being the true prosecutor (who applies to the laws of his country for justice against the offender, who has violated those laws and particularly injured him), if in that case the king puts a stop to the prosecution, by withdrawing his name from it, it is the same in effect, though not in form, as if he sent his mandate, and said that prosecution should not go on; because if he withdraws his name from it, that prosecution cannot, by the laws, go any further; the prosecutor himself cannot proceed in his own name; the withdrawing that name has the same effect as the actual interposition of prerogative by the attorney-general, and operates the same as a pardon. Mr Whittam being alleged to have acted under the authority of the House of Commons, to have had a warrant directed to him; the question is not whether the warrant is legal or not, but whether it is proper for the crown to put a stop to that prosecution, and whether the privileges of the House of Commons being said to be concerned, any interposition of the crown be necessary to support their authority. If Whittam has acted in pursuance of the order of the House, if those orders are such as the House has a competent authority to make, I submit that it cannot be a doubt that that matter pleaded or brought in a regular manner before a court of justice, would be a sufficient defence. If the courts of law are of opinion that the House has that authority, and that it was regularly delegated to Whittam, they would necessarily be of opinion to acquit him; and upon that ground there appears to be no necessity for the crown withdrawing itself from a prosecution, which by no possible means can prove oppressive or injurious to the defendant. If he has acted under a legal authority, he must be legally acquitted in a court of justice. But if the authority is not sufficient, or not regularly conveyed, it is proper, for the sake of justice, and the liberty of the subject, that judgment should be pronounced upon it in a court of law. I believe the prosecutor does not contend, that the defendant has been guilty of that kind of offence, for which he means to prosecute him with any rigour; he don't mean to oppress him, or proceed for the sake of punishment only; whether it is five pounds or five thousand is indifferent to him; the only thing he wishes is to have the question decided by a legal competent jurisdiction. If it comes regularly before the court, though perhaps upon this indictment it could not, but if it does, the question is, whether the speaker of the House of Commons had a sufficient legal authority to authorize that arrest, or whether the defendant has actually acted under that authority, such as it was; and I submit to your consideration, whether, upon that point, such interposition appears to be necessary in this case, either upon behalf of the defendant, or of the privilege of the House of Commons.'

Mr Attorney-General. 'I don't put it upon the tenderness to Mr Whittam, or the point of privilege of the House of Commons, but merely upon the foot of decency, as the circumstance of the crown taking a part in the prosecution (which they must do if they go on with it) against the messenger of the House of Commons, acting under the authority of the warrant of the speaker, pursuant to an order of the House.'

Mr de Grey, the attorney-general, was afterwards chief justice of the Common Pleas, and Mr Adair, subsequently, recorder of London.—EDIT.

to all posterity a monument of your infamy; and one would almost imagine you designed they should. You are young, my Lord: you thought it was necessary for a man of fashion to engage in public business; and as some of your private connexions happened to be in opposition, you went with the stream, and opposed. Apparently attached to that party, you perhaps thought it a civility to adopt and pursue their measures, whatever they were, of opposition; and your vanity was afterwards tickled with an offer from administration which your civility would not permit you to refuse. You did not reflect, or perhaps you did not know, that you was catching at an object which was not attended even with the usual appearance of honour; and you did not then consider (for I am sure you must now recollect), that you was attaching yourself to men from whose connexion that protest, which will now be transmitted down with ridicule to your posterity, ought to have excluded you for ever; — or perhaps, to speak more fairly or more fashionably, you thought the force of such declarations was no longer of consequence, when the purpose was answered for which they were made.—These reasons are so much below a school-boy, that I am sure your Lordship would not be willing to allege them; and if you have in the world a friend, he will not wish you should: but unhappily friendship is not one of those ruling objects which you have been solicitous to preserve, however fortunate you may *formerly have been* in obtaining it.—The man who, without honour to support any administration from principle, has still craft enough to betray all, may perhaps be solicited by every successive minister, or perhaps their credulity may be deceived into his friendship; but the poor untaught villain, who can neither support with consistency, nor betray with decency, will be *despised* by those whom he deserted, and ridiculed by the very men to whom he has made so capital a surrender. Your Lordship, I believe, sees with some uneasiness the truth of the observation, and I will give your conscience credit for the feelings it must produce; I would therefore consider you, what you seem willing to be considered, an object of pity rather than of reproach. The situation in which you appeared before a whole House of Peers, and the trial you then underwent, might be an object of triumph to some men; but I hope all hearts were not shut to the feelings of compassion. I am willing only to extend reproach to those who seem proud of receiving it. The criminal who is executed at the gallows ought not to excite the anger, much less the exultations, of the public, whom he has defrauded; but the villain who has seduced him to the commission of the crime for which he suffers, and who glories in his impudence, has a claim to all we can give him — our detestation and our curses. The comparison I think you understand, and I believe you have sensibility enough to feel it; indeed you testified it sufficiently to those who could observe you wished to justify, or at least to excuse, so extraordinary a change of principles and conduct; your courage forsook you, and you did not dare to rise. The duke of Grafton, when he deserted those principles and those connexions to which every sentiment of honour ought to have allied and bound him, seemed happily to have lost all that *mauvaise honte* with which young adventurers like his Grace were usually attended, and he creditably told us that he gloried in his situation. Your Lordship's prostitution was not attended with those peculiar circumstances which attended his; you felt the sacrifice you had made, your conscience forced your silence, and every man was confounded; administration looked for a notable advocate, but were deceived with a reproach which cut them to the quick. For your own sake, my Lord, let me advise you to consider your own plan, and let me appeal to your understanding for its acquittal. Your situation by birth is such as put it in your own power to have acquitted yourself in life respectably, and your connexion with such men as lord

Rockingham, sir George Saville, the duke of Portland, and the duke of Richmond, were no disgrace to you. Was your fortune encumbered with debt, or sold through extravagance? Had you a numerous family to provide for, whose support you could not command from your own establishment? Had administration reversed its order of governing, and given you any security for the preservation of our rights and redress of our grievances?—If any private assurance of this sort has been given you, I shall think your conduct has been consistent, though it will still be disgraceful, with respect to your friends in opposition. You will not answer any of these questions in the affirmative; nor is it necessary you should answer them at all. The two first propositions I know to be false. The third, if it had existed, would before this time have been declared. Thus we see a hopeful young peer, possessed of an independent fortune, with an only child, a daughter, connected with the most honourable characters in this kingdom, prostituting his honour, and every valuable consideration of the public, for that of an office, independent even of those sweet allurements which could, one would imagine, make the bitter pill go down. For shame, my Lord, to throw yourself away under such circumstances, at the discretion of *such* an administration! Had you, like poor Whateley, been reduced from a state of independence, to the humiliating necessity of soliciting your support from administration, our reproach would be only turned against those who creditably took advantage of such a situation, and gratified themselves with the purchase of an honest man's reputation; and though we congratulated them on the acquisition which they had prudently secured, we should sincerely pity the object of their triumph. I am neither surprised nor shocked at any inconsistency in Mr Wedderburne; his profession sets his principles at auction, and it is reasonable that the highest bidder should command them: but that the earl of Suffolk should act such a part, I own astonished me; a man who had every thing to lose, and nothing to gain by prostitution: that an independent peer of England should voluntarily pledge himself to his country for the exertion of every right and every power, with which the constitution had vested him for their service, and should after this betray every interest of the public, and desert that service, that he should in one session repeatedly declare to this purport, if not to this tenor; that he would *never hereafter* be induced, for *any* consideration, to herd with men whom he considered as enemies to their king and country, and in the next deliver over his conscience, his right, and his powers into their hands at their discretion, and thereby include himself in every odious term of reproach which he had so liberally bestowed on them. There seems something at least extraordinary in such conduct; and we are induced, with some curiosity, to enquire, for God's sake, Sir, from what consideration could lord Suffolk be induced to take so strong a part with opposition, if he intended the next session to betray it? Or if he was then sincere in his attachments and his professions, what views could he have in deserting them? These are reasonable, and I think natural, questions. We cannot but commiserate the mortifying state of human nature, when we are answered the truth, and informed of the circumstances attending it. Had you, my Lord, been entrapped, like poor Yorke, by the prevailing force which was contained in the personal entreaties and solicitations of Majesty, and had your honour been seduced and struck into compliance, though we should abhor the act, we should acquit at least *you* of the guilt; and you would have had a just claim to our pity, unmixed with our contempt. But, my Lord, what are we to say when we see a man in your Lordship's situation, stooping to so humiliating a consideration, as to *entreat* a connexion in office with those very men whom you had before reviled and despised? That you should, after being answered with an air of superiority, that you was at least the third

to be considered; that you should wait with patience and resignation, and see three men successively refuse such a connexion, and then accept it under such circumstances. The conclusion which we are to draw, I leave to your Lordship's feelings to determine; you have had time to reflect on your situation, and I would not wish to add more to embitter the sweets of office. Had this address appeared sooner while you was *fortunâ dulci ebriùs*, you would perhaps have laughed with lord Sandwich at the undertaking of one who endeavoured to prove, that honesty and virtue had any real existence. You would, like the duke of Grafton, have perused it at your tea-table, and perhaps taken a pride, like lord Hillsborough, that you was dignified with an enemy, though you had not, like him, preserved a friend. But I think, my Lord, a sufficient time is elapsed, during which some intervals of private reflection and remorse must have interfered, and the flattery of those who purchased must have subsided, and left your conscience and Mr Grenville to reproach you. For I still believe you to consist of that composition, which, without virtue enough to avoid prostitution, has still feeling enough to be ashamed of it.

Yorkshire, 7 March, 1771. HENRICUS.

[This letter has been misplaced, or would have appeared sooner.]

LETTER XCVII.

TO THE EARL OF SUFFOLK.

MY LORD, 21 *May*, 1771.

IN my last address to your Lordship, I spoke to your feelings. I thought your conduct was such as could afford no very pleasing reflection; and I readily believed that you was willing to consider the tenderness which had been preserved on the occasion with that silent gratitude which refined and delicate feelings must naturally suggest. It was acknowledged that lord Suffolk acted without virtue or without reflection; and I believe most men concurred with me in supposing that you had feeling enough to be ashamed of a transaction, which you had not courage to avoid. The resignation with which you seemed to submit to your ignominy was some pledge of your delicacy, if not of your integrity. You was pitied, I believe, by all mankind, and perhaps by some you were forgiven; the transaction sunk, as it might be supposed you wished it should, in silence and obscurity. It was not, I believe, imagined that you would ever be found hardy enough to renew the consideration of an affair, which every man who felt for you must wish to be forgotten. It was not conceived that so short a time would have reconciled you to a measure, which no man of understanding could view without ridicule. But we live in an age where no inconsistency is irreconcileable, and are governed by men with whom no villany is inconsistent. They have, I suppose, my Lord, made a convert of your understanding as well as your integrity, and you may be indebted to the piety of lord Sandwich for a system of ideas more conformable to the plan you have pursued. He may have taught you, that to repent of successful villany is still greater folly than to preserve integrity. I congratulate you on the connexion you have formed, and the acquisition you have secured; especially since you have lost nothing but your honour; a term 'more adapted to Roman barbarism than to the civilized regulations of English (I beg pardon) Scotch policy.'—Your Lordship, I believe, recollects the inconsistency which occasions this address. Your speech on the duke of Richmond's motion in the House of Lords was a pretty remarkable adventure.—Had you contentedly and professedly resigned yourself without attempting to reconcile your present with your former system, your conduct, believe me, would never have called out a second attack on so truly contemptible a being. It is the singular immodesty of your behaviour which I own has tempted me to expose you, as you are willing to be an object of public detest-

ation and disgust. There are few men, except Mr Wedderburne and your Lordship, who would have gone through the difficulty of exposing themselves to those who had such evidence against them, with that happy indifference which we have experienced from you both. To preserve the hypocrisy of patriotism, after you had openly made your compact with corruption; to profess consistency in adhering to the words of a protest, on the tenour of which your whole conduct is the grossest ridicule; and to possess the characteristical firmness of administration in reviving so ignominious a consideration, requires more courage and intrepidity than most men have the good fortune to possess; but I allow your friend Wedderburne has outstripped you. He has modestly ventured not only virtually, but directly to attack opposition for measures which he himself concurred in promoting; and hears himself despised, execrated, detested, without fear, and without anger. Let him excuse me when I assure him, with some very allowable pride, that I do not think he has a claim to any notice beyond my advice to consider, that the power from whence he derives very superior abilities, will expect and must receive an account to what purposes they have been employed.—You will now perhaps ask me, in all the hypocritical simplicity of St James's, what part had I to act, after making a traffic of my abilities, which might not have given offence? I justified before all mankind the protest which I had signed, and the pen of satire has been busy to condemn me. Had my conduct been different, would it have been consistent? Would it have been satisfactory? To this I must answer,—You had brought yourself, my Lord, into that odious situation, where you could neither retreat with decency, nor persevere with integrity; but to have retired from the curses of your countrymen would have been remembered, I believe, more to your credit as a man, if not as a minister; but I make too great allowance, I find, for human nature. I have not reflected that the only valuable consideration is interest; and I have forgot that influence to which Mr Yorke is indebted for a very hazardous eternity.—For the future I shall learn to view things with less *candour*, and observe villany, if not without mortification, at least without surprise. I shall now take my leave of your Lordship, probably for ever: but I must congratulate you, my Lord, on that ambition which has led you to enquire into those desirable *arcana* of a court, by which you have learned a sort of loyalty distinct from duty to his Majesty, or affection to his family; by which you have found that it will be for your interest, and consequently for your honour, to attach yourself hereafter to men, who, while they act directly contrary to the interest of their countrymen, and are indifferent with regard to their confidence or esteem, can hug themselves among the highest of mankind, and ridicule the contemptible folly of those whose virtue has excluded them from their share in the plunder of the public.

HENRICUS.

LETTER XCVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 28 *June*, 1771.

IN answer to the card repeatedly addressed to *Domitian*,[1] he desires it may be observed that, although he has not altered his sentiments with regard to the duke of Grafton, the case has not happened

[1] The following is a copy of the card:—

19 *June*, 1771.

TO DOMITIAN.

IN your second letter is this remarkable promise:—'Tell the duke of Grafton, that, if he should dare to entertain the most distant thought of the Admiralty, the whole affair of *Hinc's patent* shall be revived, and published with an accumulation of evidence. He at least shall be kept under. His Ciceronian eloquence shall not save him.'

As the duke of Grafton has got an higher and more lucrative office, it is expected by the public that you now *fulfil your promise*.—EDIT.

in which he thinks himself bound either by the letter or the spirit of his promise to the public. The duke *is not* first lord of the Admiralty,[1] nor is he actually in any post in which patents can immediately be sold by himself; or by Tommy Bradshaw, or by Miss Polly Bradshaw, who, like the moon, lives upon the light of her brother's countenance, and robs him of no small part of his lustre.—The fact was notorious. The sale of that patent to Mr Hine (the only man of merit whom the duke of Grafton ever provided for), so far from being denied, was publicly defended. Yet the House of Commons, who pretend to be the grand inquest of the nation, suffered this infamous breach of trust to pass by without censure or examination. For the present, therefore, it would answer no good purpose for *Domitian* to produce his evidence. But perhaps the day of enquiry is not far off. In the mean time, to show the duke that *Domitian* does not speak at random, he begs leave to remind his Grace that there are three such persons in the world as *Ross*, the agent,—*Taylor*, the house-builder,—and *Taylor's little boy.—Verbum sat.*

Domitian, upon the whole, thinks he may venture to leave the duke of Grafton, or (if there be one more odious, more base, and more contemptible person of rank in the kingdom), that he may safely leave them both to the care of JUNIUS.[2]

LETTER XCIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 5 *July*, 1771.

EVENTS and characters of a similar nature recur so often within the compass of a few centuries, that history is in effect little more than a repetition. The scenes and names of the performers are changed, but the fable is the same.—I was led to this observation by a passage I lately met with in a modern French author. The account he gives us of the emperor Valentinian the Third deserves our notice:—'Le premier soin de cette princesse fut d'inspirer à son fils l'horreur de l'heresie et le respect pour l'église;—qualités très estimables dans un souverain, mais qui ne purent couvrir le vice d'une education molle et efféminée. Sa mere travailla plus à former sa croyance, que son esprit ni ses mœurs; aussi fut-il toujours très catholique, sans être jamais Chretien.' For the benefit of my lord Suffolk, I shall give you a translation. Mr Wheatley, I hear, has got the start of his master, and, with the help of a dictionary, may do it into English for himself. 'The Princess Dowager made it her first care to inspire her son with horror against heresy, and with a respect for the church; qualities much to be esteemed in a sovereign, but not sufficient to conceal the defects of a soft effeminate education. His mother took more pains to form his belief, than either his morals or his understanding, so that he was always an excellent catholic without ever being a Christian.' I do not mean to apply the passage, but merely to save some future historian the trouble of drawing a new character.

I am, Sir,
Your humble servant,
AN INNOCENT READER.

LETTER C.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 16 *Oct.*, 1771.

IF the pert youth who calls himself *An Old Correspondent*,[3] and who

[1] His Grace had now rejoined the ministry, and held the office of lord privy seal.—EDIT.

[2] He refers to JUNIUS's two letters to the duke of Grafton, No. XLIX. and L., dates, June 22 and July 9, 1771.—EDIT.

[3] A letter under this signature appeared in the Public Advertiser in answer to JUNIUS Letter LIX., and was by him attributed to the late Mr Fox. That JUNIUS was inclined to favour, or rather, in the words of the concluding paragraph of this essay, to spare lord Holland, is obvious throughout these letters, but will be more particularly seen by a reference to Private Letter, No. 5.

makes free with JUNIUS, does not know the difference between *contact* and *collision*, nor between the *friction* which produces the electrical powers, and the action of flint and steel which produces sparks of fire, his ignorance must be deplorable. But what right has he to change the terms?—Why say *contact* when JUNIUS says *collision*?—When this pert youth asks what virtue there is in Mr Wilkes, I wish he would tell us what fire there is in flint and steel. It is action that makes them sparkle, and, if there be any thing combustible in the passions of Mr Nash, a single spark may set him on fire.

Again, JUNIUS admits the strict right of pressing seamen, but denies the king's right to arm his subjects in general, excepting in the case of an invasion. This my pretty *Black Boy* calls a retractation of JUNIUS'S first concession, and applies to his aged father for an old woman's proverb.—JUNIUS speaks of *softening the symptoms of a disorder*. The *Black Boy* changes the terms again, and destroys the allusion. The rest of his letter is of a piece with these instances; a misrepresentation of JUNIUS, equally pert, false, and stupid. *Ex his disce omnia.*

I know nothing of JUNIUS, but I see plainly that he has designedly spared lord Holland and his family. Whether lord Holland be invulnerable, or whether JUNIUS should be wantonly provoked, are questions worthy the *Black Boy's* consideration.

ANTI-FOX.

LETTER CI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 5 *November*, 1771.

JUNIUS, I see, has got my lord Mansfield upon the hip, and fairly driven the Scotch out of their discretion, and almost out of their senses. The change in the apparent position of their cheek-bones is very remarkable. The complacent, insidious smile, has universally given way to a ghastly grin of rancour and despair. Your correspondents *Anti-Junius* and *One of the Bail* actually foam at the mouth.[1]

[1] The following are copies of the letters here alluded to, which certainly evince no small degree of acrimony:—

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 4 *Nov.* 1771.

YOU have inserted in your paper of Saturday last, a short, but infamous, paragraph, addressed to lord chief justice Mansfield, and signed JUNIUS, alleging that his Lordship had admitted to bail a man at the intercession of three of his countrymen, who JUNIUS presumes is also a Scotchman.

In justice to his Lordship (although without his consent, approbation, or knowledge) I hereby declare, that he did not know who were the bail for Mr Eyre, nor did any of them ever make any prior application to his Lordship, nor were they personally acquainted with him, though 'tis probable his Lordship might have seen them on juries. I also declare, that Mr Eyre is not a Scotchman, but an Englishman; and from what I can guess of JUNIUS, he is worse than either, viz. an Irishman, a liar, and a jesuit.

None of the three gentlemen who bailed Mr Eyre ever saw him till the morning they went to lord Mansfield's at Cane Wood to bail him. This they did purely to oblige an intimate friend who was connected with him by marriage, without any other motive whatsoever.

Whether the noble lord, whose very great abilities have brought upon him, though unjustly, the envy and malice of such assassins as JUNIUS, was right or wrong I leave to the learned in the law to defend, and have no doubt his Lordship has acted in this matter according to his usual ability in law affairs, and rather with a view to enlarge than contract the liberty of the subject. At the same time, Mr Printer, I should wish to be certain who this Mr JUNIUS is who stabs all good characters in the dark. My reason is, I should be glad of an opportunity of using such a lying, infamous, cowardly scoundrel as he ought to be: for which purpose (if he chooses it), I have left my name with the printer.

One of the three who bailed Mr Eyre.

TO JUNIUS.

4 *Nov.* 1771.

YOU seem to delight most in traducing the most exalted and most respectable characters.

You say, lord Mansfield bailed Mr Eyre at the *intercession* of three of his countrymen.

I say, that is *false*: and that what he did was his duty to do as lord chief justice of England,

But calling *liar* and *scoundrel* is no answer to JUNIUS. He did *not* assert that the thief was a *Scotchman*;[1] he only *presumed* it, from the circumstance of his being bailed by three of that country. It appears now that the thief was *closely connected* with Scotland. These sweet-blooded children, even when they bail an *Englishman*, adhere to their principles. If the devil himself, connected as he is with an ancient nation, were taken up for felony, I do not doubt that all Scotland, to a *man*, would readily be his security.

JUNIUS did not blame the *bail* for interesting themselves in favour of their friend, countryman, or associate. Yet he might have done it with propriety. The thief was not charged on *suspicion*, but taken in the fact. He was, *ipso facto*, a felon, and to bail him required all the natural benevolence of Scotland. Either he had no English friends, or they were ashamed to acknowledge any connexion with him.

Instead of meeting JUNIUS upon the strict question of law, these *loons* wander into circumstances of no moment, or defend lord Mansfield by apocryphal assertions, which, if true, would be nothing to the purpose. One says that he has surrendered and taken his trial, the other that no intercession was made with lord Mansfield:—one says that the felony (for which the culprit is unluckily transported) was of the *slightest* kind;—the other says that Eyre is an Englishman. Now the plain matter of fact is this. A thief, taken in the fact, is refused bail by the lord mayor of London. Three *Scotchmen* take the said thief or felon before another—*Scotchman*, who bails the said felon. The single question arising from the fact, is, *was he*, or *was he not*, *bailable by law?* For my own part, until I hear good reasons to the contrary, I shall abide by JUNIUS, because I am persuaded he would not hazard his credit so unnecessarily, if he were not very sure of his law.

A. B.

LETTER CII.[2]

TO HIS ROYAL HIGHNESS THE DUKE OF CUMBERLAND.

SIR, 13 *November*, 1771.

I BEG your Royal Highness's acceptance of my sincere compliments of congratulation upon your auspicious union with the daughter of lord Irnham,[3] and

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and perfectly agreeable to law and to constant practice.

You say, that you presume Mr Eyre is a *Scotchman*.

I say, the culprit is an *Englishman*.

You say, his bail were all *Scotchmen*.

I say, they were. And how did that happen? Because a Scotchman is, by marriage, unhappily allied to him: and why should it be deemed a reproach that they joined in doing a good-natured office at the request of a countryman? Or that they contributed to alleviate the distress of an innocent woman, who, though unfortunately connected with the criminal, had not a participation in his guilt? Dost not thou know, thou slanderer, that the offence, though felony by law, was of the slightest kind? And would'st thou not, had that able and amiable judge (whose name will be an everlasting honour to this country) refused to admit Mr Eyre to bail, have traduced his Lordship for that very refusal, and charged him with executing the law with wanton rigour, *because he was an Englishman*.

Mr Eyre *has* been brought to trial, and has pleaded guilty. *I say*, nevertheless, that the offence, by the laws of England, *is bailable;* and I pledge myself, before God and my country, to prove, that lord chief justice Mansfield acted in this matter agreeable to law, and that JUNIUS has shown himself in this, and many other instances, a *public incendiary*, and a *liar*.

ANTI-JUNIUS.—EDIT.

[1] His words are, 'at the intercession of three of your countrymen, you have bailed a man, who, *I presume*, is also a Scotchman.' See Letter LXV.

[2] Of this letter JUNIUS writes, 'Cumbriensis has taken greatly.' Private Letter, No. 43.—EDIT.

[3] The marriage of the late duke of Cumberland was first announced to the readers of the Public Advertiser in the following communication, obviously from the pen of JUNIUS.

INTELLIGENCE EXTRAORDINARY, THOUGH TRUE.

WE can assure the public that his Royal Highness the duke of Cumberland is happily married to Mrs Horton, sister of lieutenant-colonel Luttrell, the worthy nominee of Middlesex. The new-married pair are now celebrating their nuptials in France, where the duchess of Cumberland receives all the honours due to her high rank, and new relation to the House of

the sister of colonel Luttrell. For the present you will have so few of these compliments paid you, that mine perhaps may be thought worthy your attention. I do assure your Royal Highness, with great sincerity, that, when I consider the various excellencies which adorn or constitute your personal character,—your natural parts,—your affable, benevolent, generous temper,—your good sense, so singularly improved by experience;—and, above all the rest, the uncommon education which your venerable mother took care to give you,—I do not think it possible to have found a more suitable match for you, than that which you have so discreetly provided for yourself. What you have done, will, I am sure, be no disgrace to yourself, or to any of your relations. Yet I must confess, partial as I am to you for the sake of that good prince, of whose resemblance you carry some cutting traces about you, I could wish you did not stand quite so near as you do to the regency and crown of England.—God forbid I should ever hear your royal nephews say, as Edward the Fifth does in the play, *But why to the Tower, uncle!—Or why should you lock us up, aunt!*—I mean their uncle Luttrell and aunt Horton.

But, my good youth, let no considerations of this sort interrupt your pleasures. Your amiable spouse is as much duchess of Cumberland as our gracious Queen is queen of Great Britain; and of course she is the *second* woman in the kingdom. Your *papa* Irnham must at least take rank of lord Mansfield;—your brother Henry of the princes of Mecklenburg, and your sister Miss Luttrell of Madam Swellenburgh. As to the king's not acknowledging the duchess, or forbidding her the court, it signifies nothing. Her marriage is good in law, and her children will be legitimate. She may order plays, keep a court of her own, and set the Princess Dowager at defiance. But you need have no fear of being ill used. Your brother Harry has a dagger at the throat of a certain person, and swears he will let the cat out of the bag about the Middlesex election. So far from offending Harry, I should not wonder to see him *aide de camp* to the king, and, in a little time, commander-in-chief.

Whenever you want a divorce, you need only leave your spouse alone for an hour or two with * * * * * * * *. When he performed the office of father to *Poll Davis*, and gave her to his infatuated friend, he contrived to send the young man upon a fool's errand, and that very night consummated with her himself. You, I know, Sir, will never go upon a fool's errand, and I suppose it may be equally certain that your papa, if he had an opportunity, would not * * * * * * * * * * * * *.

CUMBRIENSIS.[1]

Brunswick.—This match, we are informed, was negotiated by a certain duke and his cream-coloured parasite, by way of reward to colonel Luttrell. It is now, happily for this country, within the limits of possibility, that a Luttrell may be king of Great Britain. There was no court yesterday.

LETTER CIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *November*, 1771.

I HAVE great faith in JUNIUS, and wish the friends of the cause would leave lord Mansfield entirely to *his* care.[2] It is not fair to anticipate his arguments, or to run down the game which *he* has started. JUNIUS, I dare say, has it as much at heart to sacrifice Mansfield, with his own pen, as Achilles had to prevent any other of the Grecian army from killing Hector. The passage I allude to is one of the finest in the Iliad.

'Λαοῖσιν δ' ἀνένευε καρήατι δῖος 'Αχιλλεὺς
Οὐδ' ἔια ἔμεναι ἐπὶ Ἕκτορι πικρα βέλεμνα·
Μήτις κῦδος ἄροιτο βαλὼν, ὁ δὲ δεύτερος ἔλθοι.'
22 B. line 205.

Divine Achilles, lest some Greek's advance
Should snatch the glory from his lifted lance,

[1] This letter is acknowledged by JUNIUS in his private correspondence, No. 43.—EDIT.

[2] A great number of letters appeared in support of the doctrine maintained by JUNIUS on the subject of the bailment of Eyre.—EDIT.

Signed to the troops, to yield his *foe* the way,
And leave untouched the honours of the day.
POPE.

Yours,
ANTI-BELIAL.

LETTER CIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 4 *December*, 1771.

YOUR ingenious correspondent, *Anti-Junius*, has too much wit and taste to be easily satisfied. It is really a misfortune to be born with such exquisitely fine feelings. If, now that he is well fed and clothed, he cannot endure the severity of a southern breeze, what would become of him upon his native mountains? JUNIUS can never write to please him.—If he receives the least mention of *past* enormities, what is it but '*cold scraps, baked meats, political fiddling*, and the *voice of the charmer!' hash'd mutton*, and *Dutch music* with a vengeance!—If, on the contrary, he lays any new villanies before the public, then, one and all, the hungry pack open upon him at once:—'*Here's invention for you!—What an abominable liar!—Why does not he stick to his facts? Does he think us such idiots as to swallow wit for truth?*' In short, Sir, the Scotch have strange, qualmish stomachs;—it is not in the art of cookery to please them. Nothing will go down but oatmeal and brimstone.

Anti-Junius is not so explicit as I could wish. 1. What *intercourse* was that between lord Irnham and his daughter, which he says has been *so long interrupted?* I mean no offence to the lady, but really the word *intercourse* is a little equivocal.—2. What was *that purpose*, for which sir James Lowther's grant was obtained, and which, *Anti-Junius* says, has been long since defeated?—3. Who does he mean by a *man ever burthensome to every administration?* I hope he does not mean the duke of Grafton's friend sir James Lowther, or at least that he does not give the baronet this pretty character by order of the duke of Grafton.

After all, I really think that JUNIUS, called upon as he is by so able an antagonist, cannot do less than discover himself. He must be woefully given to suspicion, if he has the least doubt of the tender mercy of the Scotch, or of the forgiving piety of St James's.

JUNIPER.[1]

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[1] The following are the passages in *Anti-Junius's* answer to Letter LXVII., to which a reply is more particularly given in the above.

'Had JUNIUS a single friend in the world whom he dared trust or consult, his performance of yesterday, so uninstructive to your readers, so fatal to his reputation, would surely have never found its way to the press. His invective has neither novelty nor variety to recommend it; the public palate must nauseate at the insipidity of his repeated abuse, and loath the repast which his miserable thrift has attempted to furnish forth from the cold scraps and baked meats of his former scurrilous entertainments. In vain does this political fiddler labour for the public attention, by thrumming the worn-out strings of Middlesex election, Whittlebury timber, Hine's patent, and the long-forgotten rule made absolute against Mr Vaughan. The voice of the charmer himself can no longer charm with these sounds; these chords so repeatedly struck fall flat, even upon the ear of envy itself.'

* * * * * *

'With the recriminating malice of antiquated virginity, he endeavours to sully the daughter's innocence with the father's crimes, suppressing a well-known circumstance, viz. that all intercourse between that father and that daughter has long been interrupted.'

* * * * * *

'Sir James Lowther's nonsuit is in the eye of the heaven-reading JUNIUS another visible operation of retribution:—not on the king indeed; he does not seem to be affected by it, any farther than as it has introduced the parenthesis of the Luttrell alliance—but on the poor duke of Grafton, whose days are anxious, and whose nights are sleepless, because a grant, obtained to serve a purpose long since defeated, and to gratify the importunities of a man ever burthensome to every administration, is adjudged invalid; for this the duke of Grafton wears the dismal countenance of solitary sorrow; for this does Mr Bradshaw shed the April showers of lambent lamentation. Surely JUNIUS thinks to mislead reason and annihilate common-sense, by the use of a few ridiculous, half-meaning epithets.'

* * * * * *

'If you are really the honest state-gardener you would be thought, and not the malicious, discontented impostor I think you, away with your shuffling, well-worded delays; the noisome

LETTER CV.

TO LORD BARRINGTON.

MY LORD, 28 *January*, 1772.

IT is unlucky for the army that you should be so thoroughly convinced as you are how extremely low you stand in their opinion. The consciousness that you are despised and detested by every individual in it, from the drummer (whose discipline might be of service to you) to the general officer, makes you desperate about your conduct and character. You think that you are arrived at a state of security, and that, being plunged to the very heels in infamy, the dipping has made you invulnerable. There is no other way to account for your late frantic resolution of appointing *Tony Shammy* your deputy-secretary at war.—Yet I am far from meaning to impeach his character as a broker. In that line he was qualified to get forward by his industry, birth, education, and accomplishments. I make no sort of doubt of his cutting a mighty pretty figure at Jonathan's. To this hour among bulls and bears his name is mentioned with respect. Every Israelite in the alley is in raptures. *What, our old friend, little Shammy!—Ay, he was always a tight, active little fellow, and would wrangle for an eighth as if he had been born in Jerusalem. Who'd ha' thought it! Well, we may now look out for the rebuilding of the temple.*—My Lord, if I remember right, you are partial to the spawn of Jonathan's. Witness the care you took to provide for Mr Delafontaine in the military department. He limped a little when he left the alley,[1] but your Lordship soon set him upon his legs again.—This last resolution however approaches to madness. Your cream-coloured Mercury[2] has over-reached both you and himself; and remember what I seriously tell you, this measure will, sooner or later, be the cause, not of your disgrace (that affair's settled), but of your ruin. What dæmon possessed you to place a little gambling broker at the head of the war-office, and in a post of so much rank and confidence, as that of deputy to the secretary at war?—(I speak of your office, not of your person.)—Do you think that his having been useful in certain practices to lord Sandwich gives any great relief to his character, or raises him in point of rank? My Lord, the rest of the world laugh at your choice; but we soldiers feel it as an indignity to the whole army, and be assured we shall resent it accordingly.—Not that I think you pay much regard to the sensations of any thing under the degree of a general officer, and even that rank you have publicly stigmatized in the most opprobrious terms. Yet still some of them, though in your wise opinion not qualified to command, are entitled to respect. Let us suppose a case, which every man acquainted with the war-office will admit to be very probable. Suppose a lieutenant-general, who perhaps may be a peer, or a member of the House of Commons, does you the honour to wait upon you for instructions relative to his regiment. After explaining yourself to him with your usual accuracy and decision, you naturally refer him to your deputy for the detail of the business. *My dear general, I'm prodigiously hurried.—But do me the favour to go to Mr Shammy;—go to little Waddlewell;—go to my duckling;—go to little three per cents reduced;—you'll find him a mere scrip of a secretary; an* OMNIUM *of all that's genteel;—the activity of a broker;—the politeness of a hair-dresser;—the——the——the, &c.*

Our general officer we may presume being curious to see this wonderful Gir-

plant that has brought forth such bitter fruit, is surely now ripe enough to be plucked.'—EDIT.

[1] The transactions here referred to in respect to Delafontaine and Chamier, or Shammy as he was called in the alley, are more particularly noticed in the Private Letters, Nos. 52 and 56. Chamier was successor in the war-office to Mr D'Oyly, who was discarded to make room for him.—EDIT.

[2] T. Bradshaw, whose absurd elevation has been already noticed, and will occasionally be found observed upon again.—EDIT.

gashite, the following dialogue passes between them.

Lieut.-Gen. Sir, the secretary at war refers me to you for an account of what was done—

Waddlewell. Done, Sir! — Closed at three-eighths!—Looked flat I must own; —but to-morrow, my dear Sir, I hope to see a more lively appearance.

Lieut.-Gen. Sir, I speak of the non-effective fund.

Waddlewell. Fund, my dear Sir! In what fund would you wish to be concerned? —Speak freely—You may confide in your humble servant;—I'm all discretion.

Lieut.-Gen. Sir, I really don't understand you. Lord Barrington says that my regiment may possibly be thought of for India——

Waddlewell. India, my dear Sir! — strange fluctuation:—from fourteen and an half to twenty-two, never stood a moment: —but ended cheerful;—no mortal can account for it.

Lieut.-Gen.—Damn your stocks, Sir, tell me whether the commission——

Waddlewell. As for commission, my dear Sir, I'll venture to say that no gentleman in the alley does business upon easier terms. I never take less than an eighth, except from lord Sandwich and my brother-in-law, but they deal largely, and you must be sensible, my dear Sir, that when the commission is extensive, it may be worth a broker's while to content himself with a sixteenth.

The general officer, at last, fatigued with such extravagance, quits the room in disgust, and leaves the intoxicated broker to settle his accounts by himself.

After such a scene as this, do you think that any man of rank or consequence in the army will ever apply to you or your deputy again?—Will any officer of rank condescend to receive orders from a little, whiffling broker, to whom he may formerly perhaps have given half-a-crown for negotiating an hundred pound stock, or sixpence for a lottery ticket.—My Lord, without a jest, it is indecent, it is odious, it is preposterous.—Our gracious master, it is said, reads the newspapers. If he does, he shall know minutely in what manner you treat his faithful army. This is the first of sixteen letters addressed to your Lordship, which are ready for the press, and shall appear as fast as it suits the printer's convenience.

VETERAN.

LETTER CVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *Feb.* 1772.

THERE is one general, easy way of answering JUNIUS, which his opponents have constantly had recourse to since *he* first began to write, or *they* to answer him. They either misquote his words and misstate his propositions, or they laboriously employ themselves in refuting doctrines which he has not maintained, or maintaining others which he has not disputed.[1]— This has been particularly their practice in all the argument about the bailment of Eyre.

1°. JUNIUS has never affirmed that the judges of the Court of King's Bench were named or specially comprehended in the statute of Westminster, or any other of the old statutes preceding the *Habeas Corpus* Act. The design of those quotations was to prove the meaning and intention of the legislature with respect to the right of bailing a person under the circumstances of Mr Eyre. This meaning and intention once clearly proved, he affirms, is the direction and land-mark to the judge in the exercise of that discretionary power which the law has left with him.

2°. JUNIUS has not denied that the judges of the Court of King's Bench have a discretionary power to bail in all cases,

[1] This letter is more particularly designed as a reply to a very long and elaborate one published the preceding day in the Public Advertiser, and addressed, Justinius to JUNIUS. It is certainly well written, but unquestionably labours under the defects here complained of.—EDIT.

according to the circumstances of the cases. But does it follow that they may legally bail when *no circumstances whatsoever* are alleged on one side to alleviate the force of the positive charge of *felony* made on the other?—If it does, their power of bailing is *arbitrary*, not *discretionary*.—Discretion implies consideration ; but if no allegations whatsoever be made in behalf of the prisoner, they have then nothing to consider. The warrant of commitment expresses a positive charge of felony. If nothing be alleged in behalf of the prisoner, the judge has then no subject, whereupon to exercise his discretion. He has no choice. He *must* remand the prisoner.

3°. JUNIUS does not insist upon the case of Eyre so much on the score of its own enormity, as because it establishes a dangerous doctrine, applicable to all crimes however indisputably proved, and gives the judges an *arbitrary* power which the laws never meant to give them. As to lord Mansfield, it is probable that JUNIUS would not have attacked him in the manner he has done, if this had been the only instance of his misconduct. In truth, it is one out of a multitude.

I beg leave to conclude with asking this wicked judge two plain questions : — 1°. Is there or is there not any difference between offences *bailable* and offences *not bailable ;* and if there be, what is it?—2°. When the legislature, in the *Habeas Corpus* Act, do, specially and by name, forbid the judges of the Court of King's Bench to proceed to the bailment of the prisoner, if it shall appear to them that he is committed for such matters or offences, *for the which by the law the prisoner is not bailable*, have they any meaning, or have they none at all? Let it be remembered that JUNIUS never pretends to be a better lawyer than lord Mansfield. On the contrary, he takes every opportunity to acknowledge the superior learning and abilities of that wicked judge ; and in the present instance particularly insists, not that he was ignorant of the law, but that he sinned against his own certain knowledge and conviction.

ANTI-BELIAL.

LETTER CVII.

TO LORD BARRINGTON.

NUMBER II.

MY LORD, 17 *February*, 1772.

IN my last letter I only meant to be jocular. An essay so replete with good humour could not possibly give offence. You are no enemy to a jest, or at least you would be thought callous to reproach. You profess a most stoical indifference about the opinion of the world, and, above all things, make it your boast that you can set the newspapers at defiance. No man indeed has received a greater share of correction in this way, or profited less by it, than your Lordship. But we know you better. You have one defect less than you pretend to. You are not insensible of the scorn and hatred of the world, though you take no care to avoid it.—When the bloody Barrington, that silken, fawning courtier at St James's,—that stern and insolent minister at the war-office, is pointed out to universal contempt and detestation, you smile, indeed, but the last agonies of the hysteric passion are painted in your countenance. Your cheek betrays what passes within you, and your whole frame is in convulsions.—I now mean to be serious with you, but not to waste my time in proving that you are an enemy to the laws and liberties of this country. The very name of Barrington implies every thing that is mean, cruel, false, and contemptible. The duke of Newcastle's livery was the first habit you put on.—What an indefatigable courtier at his levee !—What an assiduous parasite at his table !—Was there a dirty job to be performed,—*away went Barrington.*—Was a message to be carried,—*Who waits there ?—My lord Barrington.* After ruining that brave and worthy man general Fowke [1] under the auspices of the duke of

[1] General Fowke, who was then stationed at Gibraltar, received instructions in several letters from lord Barrington, shortly after his appointment to be secretary at war in 1760, under the

Newcastle, who saved you from destruction, you deserted to Mr Pitt the moment he came into power. Before the late king's death you secured a footing at Carlton House; and were prepared to abandon your last patron, the moment lord Bute assumed the reins of government.—From lord Bute to Mr Grenville there was an easy transfer of your affections. You are the common friend of all ministers, but it is not in your policy to engage in overt acts of hostility against those, who may perhaps be next in turn to patronize lord Barrington. *My dear Lord*, or *my dear Sir*, are titles with which you have occasionally addressed every man who ever had an office, or the chance of an office, in this kingdom. Even the proscribed John Wilkes, the moment he was sheriff, had a claim upon your politeness. Your character was a little battered by the frequency of your political amours, when lord Rockingham took you into keeping.—While you existed by *his* protection, you intrigued with the duke of Grafton.—Another change succeeded.—Your mind was open to new lights, and, *without a doubt, lord Chatham was the only man in the kingdom fit to govern a great empire.*—Still however your opinions of men and things were not perfectly settled. When the duke of Grafton took the lead, the pliant Barrington of course saw things in a different point of view. There is nothing in your attachments that savour of obstinacy.—When his Grace resigned, you soon discovered that to establish government upon a solid footing, the minister's presence was indispensable in the House of Commons.—Lord North was then the man after your Lordship's own heart.—In *your* ideas, the first lord of the Treasury for the time being is always perfect :—*but every change is for the better.*—With all your professions of attachment to this temporary minister, I tell him, and I tell the public, that at this very hour you are caballing with the duke of Grafton and the Bedfords to obtain the recall of lord Townshend, and to drive lord North from the Treasury.—But they all know you.—In the inventory of the discarded minister's effects, lord Barrington is always set down as a fixture.

By garbling and new-modelling the war-office, you think you have reduced the army to subjection.—*Walk in, gentlemen! Business done by Chamier and Co.*—To make your office complete, you want nothing now, but a paper-lanthorn at the door, and the scheme of a lottery pasted upon the window.—With all your folly and obstinacy, I am at a loss to conceive what countenance you assumed, when you told your royal master, that you had taken a little Frenchified broker from 'Change Alley, to intrust with the management of all the affairs of his army.—Did the following dialogue leave no impression upon your disordered imagination? You know where it passed.

K.—Pray, my Lord, whom have you appointed to succeed Mr D'Oyly?

B.—Please your M——, I believe I have made a choice, that will be highly acceptable to the public and to the army.

K.—Who is it?

B.—Sire, it s'appelle Ragosin. Born and educated in 'Change Alley, he glories in the name of broker; and, to say nothing of lord Sandwich's friendship, I can assure your M——, he has always kept the best company at Jonathan's.

K.—My Lord, I never interfere in these matters. But I cannot help telling your Lordship, that you might have consulted my honour and the credit of my army a little better. Your appointment of so mean a person, though he may be a very honest man in the mystery he was bred to, casts a reflection upon *me*, and is an insult to the army. At all events, I desire it may be understood that I have no concern in this

duke of Newcastle's administration, which produced measures that had nearly effected the loss of that important post. Lord Barrington, on perceiving the blunder he had committed, most ungenerously prevailed on general Fowke to take the chief blame upon himself, under a promise of indemnification. The result was that Fowke was ruined, and Barrington liberated.—EDIT.

ill-judged, indecent measure, and that I do not approve of it.

I suppose, my Lord, you thought this conversation might be sunk upon the public. It does honour to his Majesty, and therefore you concealed it.—In my next I propose to show what a faithful friend you have been to the army, particularly to old worn-out officers.

VETERAN.

LETTER CVIII.

TO LORD BARRINGTON.

NUMBER III.

MY LORD, *27 February*, 1772.

THE army now, according to your own account of the matter, is under a very ereditable sort of direction. If we may rely upon the secretary at war's opinion, solemnly and deliberately expressed before the House of Commons, there is not a single man in the profession, who is in any shape qualified for commander-in-chief; at least none, whom you would think it safe to recommend to his Majesty. If your judgment upon this subject had been better founded than it is, I do not understand that a secretary at war has any right to pass so disgraceful and precipitate a sentence upon so many of his superiors. Believe me, my good Lord, there is not one of those officers, whom you dared to stigmatize in that infamous manner, who is not qualified to be your master in the art military, notwithstanding all the experience you got in St George's Fields, when you urged and exhorted the guards to imbrue their hands in the blood of their fellow-subjects.—While that bloody scene was acting, where was the gentle Barrington?—Was he sighing at the feet of antiquated beauty?—Was he dreaming over the loo-table, or was he more innocently employed in combing her ladyship's lap-dog?—But, my Lord, when you paid that pretty compliment to the body of general officers, had you no particular apologies to make to general Conway, to lord Albemarle, or to sir Jeffery Amherst?—Did general Harvey deserve nothing better of you, than a ridiculous nickname, which, like lord Mansfield's secret, he must carry with him to his grave?—In lieu of a commander-in-chief, you have advised the king to put the army into commission.—*A graduate in physic, an old woman, and a broker from 'Change Alley.*—The doctor prescribes,—the old gentlewoman administers,—and little *Syringe*, the apothecary, stands by the glisterpipe.—This, you tell the king, is making himself commander-in-chief, and the surest way to preserve the affections of the army.—It may be so, my lord, but I see no right you had to give the nickname of *doctor Radcliffe* to so brave a man as general Harvey. Though his natural sweetness of temper may induce him to pass it by, it must always be mortifying to a brave adjutant-general, when he marches into St James's coffee-house, to hear the ensigns of the guards whisper to one another—*here comes the doctor*;—or when he marches out, *there goes the doctor*.—I dare say, he has furnished work enough for the surgeons; but, until you so politely pointed it out, I cannot say I ever saw any thing medical in his appearance.

After treating the most powerful people in the army with so much unprovoked insolence, it is not to be supposed that field-officers, captains, and subalterns have any chance of common justice at your hands. But that matter shall be the subject of another letter, and every letter shall be concluded with a conversation piece. The following dialogue is not imaginary.

SCENE.—WAR-OFFICE.

Enter Barrington, *meeting* Waddlewell.

B.—My dear friend, you look charmingly this morning.

W.—My dearest Lord—the sight of your Lordship!—*Here they embrace, Waddlewell's thoughts being too big for utterance.*

B.—When did you see my *Pylades*, our dear *Bradshaw?*

W.—Ay, my Lord—there is a friend indeed.—Firmness without resistance,—sincerity without contradiction,—and the

milky way painted in his countenance.—If I could ever reconcile my mind to the distracting prospect of losing your Lordship, where else should we look for a successor! But that event, I hope is at a great distance. *Late, very late, Oh may he rule us!*

B.—Ay, my dearest Waddlewell, but we are sadly abused, notwithstanding all our virtues.

W.—Merit, my dear Lord, merit will for ever excite enmity.—I found it so in the alley. I never made a lucky hit in my life, that it did not set all Jonathan's in an uproar. If an *idea* succeeded, my best friends turned against me, Judas and Levi, Moses and Issachar.—People with whom I have been connected by the tenderest ties,—could not endure the sight of my prosperity. The ten tribes of Israel united to destroy me, and for two years together were malicious enough to call me *the lucky little Benjamin*. Friendship, among the best of men, is little better than a name.

B.—Why, my dear deputy, it is not that I regard the contempt and hatred of all mankind.—I never knew it otherwise. No man's patience has been better exercised. But what if the king should hear of it!—

W.—Ay, there's the rub!

B.—If the best of princes, who pretends to be his own commander-in-chief, should hear that the name of Barrington is opprobrious in the army;—that even he himself is not spared for supporting me—

W.—*Weeping.*—Oh fatal day!—Compared with this, what is a riscounter!—Alas, my dearest Lord, you have unmanned your deputy.—I feel myself already at ten per cent. discount, and never shall be at par again.

B.—Something must be done.—Let us consider.—

W.—Ay, my dear Lord, for heaven's sake, let us speculate.

Exeunt disputing about precedence.

VETERAN.

[1] The name subscribed by a writer who undertook the defence of lord Barrington: and whom our author, according to his usual custom, here identifies with the noble earl.—EDIT.

LETTER CIX.

TO LORD BARRINGTON.

NUMBER IV.

MY LORD, 10 *March*, 1772.

I AM at a loss for words to express my acknowledgment of the signal honour you have done me. One of the principal purposes of these addresses, was to engage you in a regular public correspondence. You very justly thought it unnecessary to sign your name to this last, elegant performance. *Novalis* [1] answers as well as Barrington. We know you by your style. This is not the first of your epistles, that has been submitted to the criticism of the public. While yet, like poor *Waddlewell*, you were young in office, your letters to General Fowke were considered as the standard of perspicuity.[2] You are now *very old* in office, and continue to write exactly as you did in your infancy. I do not wonder that the extremes of your capacity should meet in the same point, but I should be glad to know at what period you reckoned yourself in the prime and vigour of your official understanding.—Was it when you signified to the third regiment of guards his Majesty's gratitude and your own, for their alacrity in butchering their innocent fellow-subjects in St George's Fields?[3]—Was it when you informed the House of Commons, that *you* and the *doctor* were equivalent to a commander-in-chief?—Or when you declared that there was not a man in the army fit to be trusted with the command of it?—Or when you established that wise and humane regulation, that no officer, let his age and infirmities be ever so great, and his services ever so distinguished, should be suffered to sell out, unless he had bought all his former commissions?—Or in short was it when you dived into *Jonathan's* for a deputy, and

[2] See note to Miscellaneous Letter, No. CVII., p. 498.—EDIT.

[3] See note to Miscellaneous Letter, No. XXIV., p. 380, in which the letter here alluded to is inserted.—EDIT.

plucked up *Waddlewell* by the locks? When you answer these questions, I shall be ready to meet your Lordship upon that ground, on which you think you stand the firmest. In the mean time, give me leave to say a few words to *Novalis*.

You are pleased to observe that my three first letters are filled with low scurrility upon hackneyed topics collected from the newspapers. Have a little patience, my dear Lord;—I shall soon come to closer quarters with you. As for those dialogues, which you are pleased to say have neither wit nor humour in them, I can only observe that there are many scenes, which pass off tolerably well upon the stage, and yet will not bear the examination of the closet. You and *Waddlewell* are excellent performers. Between a courtier and a broker *words* are the smallest part of the conversation. Shrugs and smiles, bows and grimaces, the condescension of St James's, and the pliant politeness of 'Change Alley, stand in the place of repartee, and fill up the scene.

You intimate, without daring directly to assert, that *you did not* fix that odious stigma upon the body of general officers. Have you forgot the time when you attempted the same evasion in the House of Commons, and forced general Howard to rise and say he was ashamed of you?—These mean, dirty, pitiful tricks, are fitter for Jonathan's than the war-office.

You have more experience than any of your clerks, and your great abilities are acknowledged on all sides. As for your experience, we all know how much your conduct has been improved by it. But pray who informed you of this *universal acknowledgment* of your abilities? The sycophants, whose company you delight in, are likely enough to fill you with these flattering ideas. But if you were wise enough to consult the good opinion of the world, you would not be so eager to establish the credit of your understanding. The moment you arrive at the character of a man of sense you are undone. You must then relinquish the only tolerable excuse that can be made for your conduct.—It is really unkind of you to distress the few friends you have left.

To your Lordship's zeal to discover and patronize *latent* merit, the public is indebted for the services of Mr Bradshaw.—Pray, my Lord, will you be so good as to explain to us, of what nature were those services, which he first rendered to your Lordship?—Was he winged like a messenger, or stationary like a sentinel?

> ——'Like Maia's son he stood
> And shook his plumes;'——

videlicet, at the door of lady ———n's cabinet.—His zeal in the execution of this honourable office promoted him to another door, where he also stands sentry.

> ——'Virgâque levem coercet
> *Aurea* turbam.'

That he has ably served the state, may be collected from the public acknowledgments the ministry have made him. Fifteen hundred pounds a year, well secured to himself and his family, will acquit the king of any ingratitude to Mr Bradshaw. It is by mere accident that Sir Edward Hawke and Sir Jeffery Amherst are no better provided for.

But we are indebted to your Lordship for another discovery of merit equally latent with Mr Bradshaw's.—You have a phœnix of a deputy, though yet he is but young in his nest.—He has hardly had time to clear his wings from the ashes that gave him birth.—This too was your Lordship's apology for ruining general Fowke. You gave it in evidence, that you had been but four months in office; and now you tell us that your deputy also is in the same unfledged state of noviciate;—though for abilities and knowledge of the world, neither *Jew* nor *Gentile* can come up to him! For shame, my lord Barrington, send this whiffling broker back to the mystery he was bred in. Though an infant in the war-office, the man is too old to learn a new trade.—At this very moment they are calling out for him at the bar of Jonathan's—Shammy!—Shammy!—Shammy!—The house of Israel are waiting to settle their

last account with him.—During his absence things may take a desperate turn in the alley, and you never may be able to make up to the man what he has lost in half-crowns and sixpences already.

VETERAN.

LETTER CX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 23 *March*, 1772.

I DESIRE you will inform the public that the worthy lord Barrington, not contented with having driven Mr D'Oyly out of the war-office, has at last contrived to expel Mr Francis.[1] His Lordship will never rest till he has cleared his office of every gentleman who can either be serviceable to the public, or whose honour and integrity are a check upon his own dark proceedings. Men who do their duty with credit and ability, are not proper instruments for lord Barrington to work with.—He must have a broker from 'Change Alley for his deputy, and some raw, ignorant boy for his first clerk. I think the public have a right to call upon Mr D'Oyly and Mr Francis to declare their reasons for quitting the war-office. Men of their unblemished character do not resign lucrative employments without some sufficient reasons. The conduct of these gentlemen has always been approved of, and I know that they stand as well in the esteem of the army as any persons in their station ever did. What then can be the cause that the public and the army should be deprived of their service?—There must certainly be something about lord Barrington which every honest man dreads and detests. Or is it that they cannot be brought to connive at his jobs and underhand dealings?—They have too much honour, I suppose, to do some certain business *by commission*.—They have not been educated in the conversation of Jews and gamblers;—they have had no experience at Jonathan's;—they know nothing of the stocks; and therefore lord Barrington drives them out of the war-office.—The army indeed is come to a fine pass, with a gambling broker at the head of it!—What signifies ability, or integrity, or practice, or experience in business? Lord Barrington feels himself uneasy while men with such qualifications are about him. He wants nothing in his office but ignorance, impudence, pertness, and servility. Of these commodities he has laid in a plentiful stock, that ought to last him as long as he is secretary at war. Again, I wish that Mr Francis and Mr D'Oyly would give the public some account of what is going forward in the war-office. I think these events so remarkable, that some notice ought to be taken of them in the House of Commons. When the public loses the service of two able and honest servants, it is but reasonable that the wretch, who drives such men out of a public office, should be compelled to give some account of himself and his proceedings.

VETERAN.

[1] Francis, now Sir Philip, and D'Oyly were chief clerks in the war-office: the displacement of D'Oyly to make room for Chamier has been already noticed in Letter CV.—EDIT.

LETTER CXI.

TO LORD BARRINGTON.[2]

MY LORD, 4 *May*, 1772.

I AM a Scotchman, and can assure your Lordship that I do not esteem my country, or the natives of it, the less because we are not so happy as to be honoured with lord Barrington's favourable opinion.—From a pamphlet, which lately fell in my way, I perceive that there is something in the temper of the Scots, that does not suit the manly, sterling virtue which distinguishes your own worthy character. We are too insolent to those beneath us, and too obsequious to our superiors; and with such a disposition must never hope to find favour with lord

[2] The original copy of this letter is still in the hands of the proprietor of this edition.—EDIT.

Barrington! 'And Cockburne, *like most of his countrymen*, is as abject to those above him, as he is insolent to those below him.' These are your words, given under your hand, as the solemn, deliberate opinion of his Majesty's secretary at war. Such a censure, coming from a man of honour, good sense, or integrity, might perhaps have some weight with the thoughtless or uncandid. But when it comes from a man whose whole life has been employed in acting the part of a false, cringing, fawning, time-serving courtier,—from a man who never had a different opinion from the minister for the time being, and who has always contrived to keep some lucrative place or other under twenty different administrations, I am not so much offended at the reproach itself, which you have thought proper to throw upon the Scots, as I am shocked at the unparalleled impudence of applying your own individual character to a whole nation.—It seems my countrymen *are abject to those above them.* Pray, my good Lord, by what system of conduct have you recommended yourself to every succeeding minister for these last twenty years?—Was it by maintaining your opinion upon all occasions, with a blunt, firm integrity, or was it by the basest and vilest servility to every creature that had power to do you either good or evil?—*But we are insolent to those below us.* Indeed, my Lord, you paint from your own heart. There is courage at least in *our* composition. It is the coward who fawns upon those above him. It is the coward that is insolent, wherever he dares be so. You have had some *lessons* which have made you more cautious than you used to be. You have reason to remember that modest, humble merit will not always bear to be insulted by an upstart in office. For the future, my little Lord, be more sparing of your reflections upon the Scots. We pay no regard to the calumny of anonymous writers, and despise the malignity of John Wilkes. But when a man, so high in office as you are, pretends to give an odious character of a whole nation, and sets his name to it, we should deserve the reproach, if we did not resent it. You are so detested and despised by all parties (because all parties know you) that England, Scotland, and Ireland have but one wish concerning you, and that is, that, as you have shewn yourself a fawning traitor to every party and person, with which you ever were connected, so all parties may unite in loading you with infamy and contempt.

SCOTUS.

LETTER CXII.

TO THE RIGHT-HONOURABLE THE LORDS COMMISSIONERS OF THE ADMIRALTY.

MY LORDS, 8 *May*, 1772.

HAVING seen in last Saturday's paper that Mr Bradshaw was appointed to be a member of your board, give me leave to congratulate your Lordships on the event, as a person of Mr Bradshaw's birth and talents may be of the greatest use to you on many occasions, besides adding infinitely more weight and dignity to the board; I was therefore a good deal surprised at the simple manner in which his *well-merited* promotion was announced to the public, but must attribute it either to *his own modesty*, or the printer's ignorance: but whatever be the cause, I think it necessary to acquaint you, his brother lords, with a little of his history.

It is needless to trouble your Lordships with an account of his birth or education, as the first might be a very difficult task, and the latter your Lordships may see has not been neglected. His first appearance in the *great world* was as one of lord Barrington's domestics, from whence he moved to Ireland, set up a shop, and under the influence of a happy planet returned to England, where, by means of his uncommon address in administering to the *pleasures of the great*, he was appointed one of the secretaries to the Treasury, which office he held during the duke of Grafton's administration, and by exerting his happy talents between his Grace and the cele-

brated Nancy Parsons, he so far ingratiated himself with the duke, that he became his chief confident, and was privy to the whole of his *generous treatment* of that young lady, and of course became his Grace's *bosom friend;* for which service he first received a pension of *fifteen hundred pounds a year for three lives*, and, that not being sufficient, is now made *one of you*. I cannot avoid again congratulating you on the acquisition of such *a brother member*, as it is to be hoped he will assist any of your Lordships with his good offices upon all occasions.

I have the honour to be,
My Lords,
Your Lordships' most humble
And obedient servant,
Pall-Mall. ARTHUR TELL-TRUTH.

LETTER CXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.[1]

SIR, 12 *May*, 1772.

I AM just returned from a visit in a certain part of Berkshire, near which I found lord Barrington had spent his Easter holidays. His Lordship, I presume, went into the country to indulge his grief; for whatever company he happened to be in, it seems his discourse turned entirely upon the hardship and difficulty of his situation. The impression which he would be glad to give of himself is, that of an old, faithful servant of the crown, who on one side is abused and vilified for his great zeal in support of government, and at the same time gets no thanks or reward from the king or the administration. He is modest enough to affirm in all companies, that *his* services are unrewarded; that *he* bears the burthen; that other people engross the profits; and that *he* gets nothing. Those who know but little of his history may perhaps be inclined to pity him; but he and I have been old acquaintance, and considering the size of his understanding, I believe I shall be able to prove, that no man in the kingdom ever sold himself and his services to better advantage than lord Barrington.—Let us take a short review of him from his political birth.

On his entrance into the House of Commons he declared himself a patriot; but he soon found means to dispose of his patriotism for a seat at the Admiralty-board. This worthy man, before he obtained his price, was as deeply engaged in opposition to government, as any member of the *Fountain club* to which he belonged. He then thought it no sin to run down sir Robert Walpole, though now he has altered his tone. To oppose the measures of government, however dangerous to the constitution, or to attack the persons of ministers, however justly odious to the nation, is now *rank faction* in the opinion of the pliant lord Barrington. His allegiance follows the descent of power, nor has he ever been known to dispute the validity of the minister's title, as long as he continued in possession.

His Lordship remained at the Admiralty, until long servility and a studious attachment to the duke of Newcastle had engaged his Grace to recommend him for secretary at war. When the Duke resigned in the year 1756, he of course expected that lord Barrington would have followed him. But his Lordship's gratitude to his patron was not quite heavy enough to weigh against two thousand five hundred a year. He knew the value of his place, and kept it by making the same professions to Mr Pitt and lord Temple by which he had deceived the duke of Newcastle. Before the late king's death, he had taken early measures to secure an interest at Carlton House; and when his present Majesty could no longer bear him as secretary at war, he found means to ingratiate himself

[1] This letter was advertised under the title of Memoirs of lord Barrington, in compliance with the request of the author. See private note, No. 62.—EDIT.

so far with lord Bute, that for some time he was suffered to be chancellor of the Exchequer; and when that post appeared to be not tenable, he still had art and contrivance enough to secure himself in the lucrative office of treasurer of the Navy. In 1762, he was the most humble servant of Mr Fox. In 1763 and 1764, he was no enemy to Mr Grenville. In 1765, he gave himself back, body and soul, to the late duke of Cumberland and lord Rockingham. This last manœuvre restored him to the war-office, where he has continued ever since, with equal fidelity to Mr Pitt, the duke of Grafton, and lord North; and now he modestly tells the world *that he gets nothing* by his services.

Besides the singular good fortune of never being himself a moment out of place, he has had extraordinary success in providing for every branch of his family. One brother was a general officer, with a regiment and chief command at Guadaloupe. A second is high in the navy with a regiment of marines. A third is a judge, and the fourth is a bishop. Yet this is the man who complains *that he gets nothing*. At the same time his parliamentary interest is so inconsiderable, that ever since his canting hypocrisy and pretended attachment to the dissenters was discovered at Berwick, he has been obliged to the influence of government for a seat in the House of Commons, which he holds without its costing him a shilling.

Having given you a short account of the emoluments he has received from government, I should be very glad to see as faithful an account of his services. Some of them are probably of a secret nature, of which we can form no judgment. His ostensible services, in the public opinion at least, have been considerably overpaid. At his very outset, the blundering orders he sent to Gibraltar might have occasioned the loss of that important place. When the fate of Gibraltar was at stake, we had a secretary at war who could neither write plain English nor common sense. But he compensated for his own blunder by ruining the worthy general Fowke, whom he and a certain countess (taking a base advantage of the unhappy man's distress), prevailed upon to write a letter, the recollection of which soon after broke his heart. In the House of Commons, I think, the noble Lord was never reckoned an able debater. *Poor B—ch* for many years was his nickname. His time-serving duplicity is now so well known, that he seldom speaks without being laughed at. Sometimes his folly exceeds all bounds; as, for instance, when he traduced the whole body of general officers, which, I presume, they will not readily forget. In the war-office he has made it his study to oppress all the lower part of the army by a multitude of foolish regulations, by which he hoped to gain the reputation of great discipline and economy, but which have only served to make him as odious to the military, as he is to every other rank of people in the kingdom. With respect to the public in general, I presume there never was a man so generally or so deservedly detested as himself. The people of this country will never forget nor forgive the inhuman part he took in the affair of St George's Fields. Other secretaries at war have ordered out troops to assist the civil magistrate. For this man it was reserved, to give it under his hand, that he rejoiced and exulted in the blood of his fellow-subjects. This stroke alone would be sufficient to determine his character. Yet so far from having done the king any service by his officious zeal upon this occasion, I am convinced that no one circumstance has so much contributed to throw an odium upon the present reign. I will not suppose it possible, that the best of princes could be pleased with the treason, but I am sure he has reason enough to hate the traitor.

Such are the services, which, in his Lordship's opinion, can never be sufficiently rewarded. He complains that he gets nothing, although, upon a moderate computation, he has *not* received less of the public money than fifty-three thousand pounds, viz.:

Ten years lord of the Admiralty	£8000
Eighteen years either secretary at war, chancellor of the Exchequer, or treasurer of the Navy, at 2500 per annum	45,000
	53,000

It is not possible to ascertain what further advantages he may have made by preference in subscriptions, lottery tickets, and the management of large sums lying in his hands as treasurer of the Navy. Mr Chamier, if he thought proper, might give us some tolerable account of the matter. When a secretary at war chooses a broker for his deputy, it is not difficult to guess what kind of transactions must formerly have passed between them. I don't mean to question the honour of Mr Chamier. He always had the reputation of as active a little fellow as any in Jonathan's. But putting all things together, I think we may affirm that, when lord Barrington complains of getting nothing from government, he must have conceived a most extravagant idea of his own importance, or that the inward torture he suffers, from knowing how thoroughly he is hated and despised, is such as no pecuniary emoluments can repay.

NEMESIS.

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